United Nations A/57/160

General Assembly

Distr.: General
2 July 2002
English
Original: Arabic/French/Russian/
Spanish

Fifty-seventh session
Item 67 (v) of the preliminary list*
General and Complete Disarmament

The illicit trade in small arms and light weapons in all its aspects

Report of the Secretary-General

Summary

The present report provides an overview of the implementation by the United Nations and by States of General Assembly resolution 56/24 V of 24 December 2001, entitled "The illicit trade in small arms and light weapons in all its aspects", including actions undertaken to implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 9 to 20 July 2001. The report covers the activities undertaken from June 2001 to June 2002.

* A/57/50/Rev.1.

02-46967 (E) 260902

Contents

		Paragraphs	Page
I.	Introduction	1–3	3
II.	Group of Governmental Experts on identifying and tracing illicit small arms and light weapons	4–6	3
III.	Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects	7–34	3
IV.	Conclusion	35–36	7
Annexes			
I.	Views of States regarding the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons		9
II.	Data and information provided by States on a voluntary basis, including national reports, on the implementation by those States of the Programme of Action		20
III.	National points of contact for the implementation of the Programme of Action		70

I. Introduction

1. By its resolution 54/54 V of 15 December 1999, the General Assembly decided to convene a United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (the Small Arms Conference), which was held at United Nations Headquarters from 9 to 20 July 2001. The Conference consolidated and strengthened international efforts to address the threat to international peace and security posed by the proliferation of illicit small arms and light weapons. It adopted by consensus a Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (the Programme of Action). The Programme of Action contains specific recommendations for action at the national, regional and global levels, including in the area of international assistance and cooperation, as well as a follow-up process to the Small Arms Conference.

2. A total of 169 States, as well as a number of departments and specialized agencies of the United Nations, intergovernmental, international and regional organizations, non-governmental organizations and research institutes participated in and addressed the Small Arms Conference.

3. By its resolution 56/24 V of 24 December 2001, entitled "The illicit trade in small arms and light weapons in all its aspects", the General Assembly welcomed the adoption of the Programme of Action, and requested the Secretary-General to undertake concrete initiatives to facilitate its implementation. Specifically, the Assembly requested the Secretary-General to conduct a study on the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, with the assistance of governmental experts, taking into account the views of States; to collate and circulate data and information provided by States on a voluntary basis, including national reports, on the implementation by those States of the Programme of Action; and to report to the General Assembly at its fifty-seventh session on the implementation of the resolution. The present report is submitted pursuant to those requests and reflects the initiatives taken by the United Nations, as well as States, in the implementation of the Programme of Action.

II. Group of Governmental Experts on identifying and tracing illicit small arms and light weapons

4. Pursuant to the request contained in resolution 56/24 V, the Secretary-General established a Group of Governmental Experts to examine the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.[1]

5. The Expert Group is scheduled to hold three formal meetings, the first such meeting to be held from 1 to 5 July 2002 at the Palais des Nations in Geneva. The two remaining meetings will be held in February and May 2003. The finding of the Group will be the subject of a report of the Secretary-General to the General Assembly at its fifty-eighth session of the General Assembly.

6. Pursuant to the same request, the Department for Disarmament Affairs, addressed a note verbale to all States on 19 February 2002, inviting them to communicate their views on the development of an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. The replies received are contained in annex I to the present report. Any further such replies received will be issued as addenda to the report.

III. Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Department for Disarmament Affairs

7. The General Assembly in resolution 56/24 V also requested the Secretary-General, within existing resources, through the Department for Disarmament Affairs, to collate and circulate data and information provided by States on a voluntary basis, including national reports, on the implementation by those States of the Programme of Action.

8. Pursuant to that request, the Department addressed a note verbale to all States on 19 February 2002, inviting them to communicate the relevant data and information, including national reports. The replies

received are contained in annex II to the present report. Any further such replies received will be issued as addenda to the present report.

9. The Department furthermore addressed a note verbale to all States on 11 March 2002, inviting them to communicate the contact details of their respective national points of contact relating to the implementation of the Programme of Action, to enable the Secretariat to facilitate coordination among States and between them and the United Nations and other relevant stakeholders. The replies received are contained in annex III to the present report. Any further such replies received will be issued as addenda to the report.

10. During the period under consideration, the Department for Disarmament Affairs and its regional centres in Africa, in Asia and the Pacific and in Latin America and the Caribbean actively promoted the implementation of the Programme of Action and provided technical and substantive support to interested States. In so doing, the Department conducted fact-finding, assessment and advisory missions on the small arms situation in Argentina, Brazil, Cambodia, Guinea-Bissau, Kenya, Niger, Papua New Guinea, Peru, Sri Lanka and Togo. Such missions resulted in reports that included specific recommendations on ways and means to address the small arms problems in those States.

11. The Department also conducted training programmes on small arms-related themes for experts from the States signatories to the Nairobi Declaration,[2] jointly organized conferences, seminars and workshops in Africa, Asia, and Latin America and the Caribbean; and designed and implemented weapons collection and disposal programmes. Such activities are mentioned in other reports of the Secretary-General to be submitted to the General Assembly at its fifty-seventh session.[3]

12. The Department additionally participated in a number of follow-up events to the Small Arms Conference, such as a regional seminar for Latin America and the Caribbean, co-organized by the Government of Chile and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, in Santiago from 19 to 21 November 2001; a meeting hosted by the Government of Japan in Tokyo from 23 to 25 January 2002; a workshop hosted by the Organization for Security and Cooperation in Europe (OSCE) in Vienna, on 4 and 5 February 2002; a meeting hosted by the Geneva Forum in Jongny-Vevey, Switzerland, on 7 and 8 February 2002; and an African Conference, co-sponsored by the Governments of Austria, Canada, Kenya, Mali, the Netherlands, Nigeria, Norway, South Africa, Switzerland, and the United Kingdom of Great Britain and Northern Ireland in Pretoria from 18 to 21 March 2002.

13. Furthermore, in partnership with the Hague Appeal for Peace, supported by the United Nations Foundation, the Department conducted a six-month project from 6 December 2001 to 5 June 2002 to plan a two-year programme entitled "Peace and Disarmament Education: Sustaining Weapons Collection and Preventing Violence". The objective of the programme is to support small arms collection programmes with long-term training and awareness of peaceful alternatives to guns and violence for youth and the community at large, as a contribution to preventing the recurrence of conflict.[4]

Coordinating Action on Small Arms (CASA) mechanism

14. CASA consists of 17 United Nations departments and agencies[5] and was established by the Secretary-General in 1998 to enable the Organization as a whole to bring a holistic and multidisciplinary approach to this complex and multifaceted global problem. The Programme of Action now requires the effective coordination of system-wide action on small arms and light weapons, and the harmonization of policies, strategies and activities, in order to avoid wasteful duplications and to generate synergies. In response to this challenge, CASA has held a series of meetings since the Small Arms Conference, focusing on information exchange and on the need to reassess its role and functions in the light of the Programme of Action. A working group including the Department for Disarmament Affairs, the Department of Political Affairs, UNDP, UNICEF, the Department of Public Information and WHO was established in April 2002 to prepare a report, which will be presented at a meeting of CASA principals later this year.

15. In addition, the following members of CASA have undertaken the activities described below related to the implementation of the Programme of Action.

Office for the Coordination of Humanitarian Affairs

16. The Office has played a leading role in the establishment and functioning of the Reference Group on Small Arms (RGSA),[6] which was created by the Inter-Agency Standing Committee. RGSA was instrumental in raising the profile of the humanitarian dimension of the threat posed by the proliferation of illicit small arms and light weapons during the preparatory process for the Small Arms Conference and during the Conference itself, and subsequently developed a Humanitarian Programme of Action on small arms.

Department of Political Affairs

17. The Department promotes arms limitation as an essential element in conflict prevention and peace-building by including arms control in the mandates of special representatives or envoys dispatched to areas in or emerging from conflict, and by involving United Nations peace-building support offices in specific activities to combat the illicit traffic in small arms and light weapons. Specifically, the United Nations Peace-Building Support Offices in the Central African Republic (BONUCA), in Liberia (UNOL) and in Guinea Bissau (UNOGBIS) are active in policy advocacy and/or the provision of technical, material and other resources to support programmes to collect and destroy small arms and light weapons circulating widely in those societies and to enhance government capacity to regulate the importation, distribution and use of such armaments. The United Nations Political Office in Bougainville (UNPOB), is working closely with the Department for Disarmament Affairs and regional States to ensure the effective implementation of the weapons disposal provisions of the Bougainville Peace Agreement.

18. Since the Small Arms Conference, the Security Council has continued to take measures to strengthen enforcement of arms embargoes, aimed at preventing the sale and supply of arms and related material to targeted States and entities, as an integral part of the global fight against the illicit trade in small arms and light weapons. In this connection, all current United Nations sanctions regimes imposed by the Security Council have an arms embargo component. The Angola, Liberia and resolution 1267 (1999) sanctions committees have been supported by expert monitoring bodies focusing in particular on tracing sanctions violations, including violations of arms embargoes. The decision by the Council (in resolution 1407 (2002) of 3 May 2002) to establish a panel of experts to monitor the implementation of the arms embargo against Somalia signifies an increasing co.nmitment by the Council to the enforcement of its arms embargoes.

United Nation Children's Fund

19. In the field of advocacy, UNICEF, together with its partners, organized panels on "Children and Small Arms" during the twenty-seventh special session of the General Assembly, on Children, held from 8 to 10 May 2002. UNICEF also produced a brochure entitled "No Guns Please! We are children", which addresses the impact of small arms on children, highlights the work of UNICEF to counter the impact and lists guiding principles. The updated exhibit "Taking Aim at Small Arms: Defending Children's Rights" prepared jointly by UNICEF and the Department for Disarmament Affairs has been displayed in the United Nations Secretariat and a virtual version is on the UNICEF web site (www.unicef.org/smallarms/exhibit/). It is currently being shown in Belgrade and will tour Germany and other European countries by the end of 2002.

20. UNICEF is conducting small arms pilot projects in Kosovo, Liberia, Somalia and Tajikistan which raise awareness among children about small arms and light weapons. Activities include the development of school teaching materials and curricula for non-violent conflict resolution, building consensus and support among civil society and community networks, and strengthening a culture of peace.

21. As the lead United Nations agency for the problem of landmines in Albania, UNICEF linked landmine awareness to a campaign against the threat to children of small arms and light weapons. Different activities have been organized, bringing together youth from Kosovo and Albania under the regional banner of "Don't Let Guns Kill Our Dreams".

22. In Angola, Colombia and Sri Lanka UNICEF has established schools as zones of peace — safe havens from the violence plaguing their countries. There is also an effort to establish ongoing data collection on small arms in those countries. Additionally, UNICEF is providing assistance to a project on disarmament education to be conducted by the Department for

Disarmament Affairs in Albania, Cambodia, Niger and Peru.

23. Other activities include preventing the access of Croatian children to weapons in their homes; promoting the training of media producers to counter the glorification of violence and weapons in radio and television programmes for children in Sri Lanka and Egypt; and airlifting child soldiers from conflict zones in the Sudan and the Democratic Republic of the Congo.

United Nations Development Programme

24. UNDP, through the Trust Fund to Support the Prevention and Reduction of the Proliferation of Small Arms, supports programmes for the recovery and destruction of small arms; building national and regional capacity for the removal of small arms; and the training of law and order forces and customs officials.

25. Recent initiatives by UNDP in this area include: a Baseline Survey on youth experiences and attitudes towards small arms and violence in society in Kosovo; a local community development and weapons collection and destruction effort in N'Guigmi in the south-eastern Diffa District in Niger, initiated jointly with the Department for Disarmament Affairs; a programme for the disarmament, demobilization and reintegration of ex-combatants in the Solomon Islands; initiatives to raise public awareness of the problem of small arms in Northern Somalia; a weapons collection and destruction effort in the Congo; and a nationwide weapons collection and destruction effort in Albania based on the success of the earlier "weapons for development" pilot project in the Gramsh District, also conducted jointly with the Department for Disarmament Affairs. Regional initiatives include a new programme that is being developed with the United Nations Regional Centre for Peace and Disarmament in Africa to train officials in the Great Lakes Region and the Horn of Africa on controlling illicit flows of weapons.

Office of the Special Representative for Children and Armed Conflict

26. The Office of the Special Representative has been advocating for the adherence by States and parties to armed conflicts to international norms and standards regarding the protection of children. In July 2001, it launched an important initiative to set up an international research network on children and armed conflict issues, which has since been established at the Social Science Research Council in New York. The network involves academics, policy makers and practitioners.

27. At the invitation of the Department for Disarmament Affairs, the Office also participated in the first Latin American and Caribbean coordination workshop on "Strengthening NGO Capacity-building, Networking and Advocacy", held in Lima, in May 2002, and organized by the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean.

28. Furthermore, the Office of the Special Representative organized a series of side events with United Nations and NGO partners and youth organizations as well as the Council on Foreign Relations during the twenty-seventh special session of the General Assembly, on children, in May 2002, to advocate for greater awareness of and action to address the issue of child soldiers and child soldier disarmament, demobilization and reintegration.

United Nations Institute for Disarmament Research

29. The United Nations Institute for Disarmament Research (UNIDIR) has initiated a project on peace-building aimed at strengthening the participation of West African civil society bodies in the control of small arms and light weapons. So far, the project has focused on Guinea, Liberia, Mali and Sierra Leone. Later in 2002, UNIDIR will initiate a research project on lessons learned from weapons collection programmes. Focusing on Albania, Cambodia, Congo, Mali and Papua New Guinea as illustrative examples, the project will use participatory monitoring and evaluation techniques to involve the beneficiary communities directly in the assessment of past programmes, and the learning of relevant operational lessons.

30. The Geneva Forum, a joint initiative of UNIDIR, the Quaker United Nations Office, Geneva, and the Programme for Strategic and International Security Studies, Graduate Institute of International Studies, Geneva, has recently developed a programme of support to the implementation of the Programme of Action.

Centre For International Crime Prevention of the Office for Drug Control and Crime Prevention

31. The Centre has been actively engaged in promoting the ratification of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (General Assembly resolutions 55/255 and 55/25).

32. The Centre has held a series of interregional, regional and subregional meetings to inform officials and experts about the new instruments, discuss ratification requirements and identify specific requirements for technical assistance. Meetings were also held with individual Governments and relevant regional and intergovernmental organizations. Further meetings focusing on the specific needs of individual countries are anticipated for 2002-2003 and implementation assistance will be provided once the ratification process is complete.[7]

United Nations Development Fund for Women

33. The United Nations Development Fund for Women (UNIFEM) contributed to the success of the weapons collection programme in Elbasan and Diber in Albania through public awareness campaign materials targeting women and youth, capacity-building workshops and a conference of over 200 women called "Women of Diber Say No to Guns, Yes to Life, Yes to Development". A survey on the impact of weapons on women was taken in two project areas and three non-project areas. In Somalia, UNIFEM is providing technical assistance to the Women's Development Organization in Southern Somalia (International Development Association) for a weapons collection project that will culminate in a public weapons destruction ceremony.

World Health Organization

34. The contribution of the World Health Organization to the implementation of the Programme of Action is to provide better empirical understanding about armed violence and its prevention. This programme will begin with pilot projects in Mozambique and Brazil and will be followed by extension to a number of other countries. The emphasis will be on creating sustainable capacity to develop and implement evidence-based policies and programmes that reduce armed violence.

IV. Conclusion

35. As the present report indicates, the momentum generated by the preparatory process for the Small Arms Conference and by the Conference itself was sustained by a very encouraging response to the Programme of Action by States and international and regional organizations, particularly in the areas most affected by the proliferation of illicit small arms and light weapons. Relevant civil society bodies, including non-governmental organizations, have also been very supportive and have been actively engaged in the follow-up to the Conference. A welcome development in this regard is the emergence of new partnerships between States and civil society organs, and the consolidation of existing ones, around concrete actions.

36. The United Nations, through the Department for Disarmament Affairs, the CASA mechanism and the individual departments and agencies participating therein, has remained in the forefront of such international efforts. It is the collective responsibility of States, international and regional organizations, and civil society bodies to build upon such an auspicious beginning to the implementation of the Programme of Action, to continuously enhance the efficiency of their actions through greater coordination and cooperation and to further develop their capacities to respond to, and ultimately overcome, this global threat to international peace and security.

Notes

[1] The Group is composed of representatives of the following States: Brazil, Bulgaria, Canada, China, Colombia, Cuba, Egypt, France, India, Jamaica, Japan, Kenya, Mali, Mexico, Netherlands, Nigeria, Pakistan, Russian Federation, South Africa, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland and United States of America.

[2] The States signatories of the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (15 March 2000) are Burundi, the Democratic Republic of the Congo, Djibouti, Ethiopia, Eritrea,

Kenya, Rwanda, the Sudan, Uganda and the United Republic of Tanzania.

[3] Such reports include the reports of the Secretary-General on: consolidation of peace through practical disarmament measures, assistance to States for curbing the illicit traffic in small arms and collecting them, as well as the reports of the United Nations Regional Centre for Peace and Disarmament in Africa, the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean.

[4] See report of the Secretary-General on the United Nations Disarmament Information Programme.

[5] The following departments and agencies are current members of CASA: Department for Disarmament Affairs, the Office for the Coordination of Humanitarian Affairs, Department of Economic and Social Affairs, Department of Political Affairs, Department of Peacekeeping Operations, Department of Public Information, United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), Office of the Special Representative of the Secretary-General for Children and Armed Conflict, New York office of the United Nations High Commissioner for Human Rights (UNHCHR), New York office of the United Nations High Commissioner for Refugees (UNHCR), the Geneva-based United Nations Institute for Disarmament Research (UNIDIR), the Vienna-based Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention (UNODCCP/CICP), United Nations Development Fund for Women (UNIFEM), the World Bank, the World Health Organization (WHO) and the United Nations Environmental Programme (UNEP).

[6] RGSA is composed of the International Committee of the Red Cross, UNICEF, UNDP and the Office for the Coordination of Humanitarian Affairs.

[7] See E/CN.15/2002/10.

Annex I

Views of States regarding the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons

Algeria

[Original: French]
[10 June 2002]

1. By reason of its devastating effects, illicit trafficking in small arms and light weapons constitutes a serious challenge that endangers international security and stability, and national development efforts in many countries. It is a source of aggravation of many conflicts throughout the world, as well as such phenomena of violence as terrorism and international organized crime.

2. Algeria, as a victim of the harmful effects of this illicit trafficking and a country which has had to face savage terrorism, is quite eager to join in the initiatives and efforts of the international community the essential aim of which is to promote international cooperation against this worldwide scourge, which knows no frontiers.

3. Many proposals have been made, particularly by the developed countries, which are at the same time the principal manufacturers and producers of small arms and light weapons, regarding the problem of marking and tracing such arms and weapons.

4. While the international community has a duty to tackle this issue of illicit trafficking in small arms and light weapons, which poses a multifaceted problem, there is a need to emphasize the important role the industrial sector could play through its contribution to action to prevent, combat and eradicate illicit trafficking in all its forms.

5. Whatever the marking and tracing technique employed, it will make it possible, in the context of an organized and sustained campaign, to trace the course of a weapon that has been located and is believed to have entered the informal and illicit market.

6. However, it is estimated that more than 500 million small arms and light weapons already exist in the world, and they continue to be produced in large numbers in the developed countries, and in more than 70 countries on an industrial scale. A large proportion of them have been or still are the subject of illicit trafficking to feed and exacerbate zones of conflict.

7. The initiative for an international instrument on marking and tracing techniques to be integrated into the manufacturing process of small arms and light weapons offers promise for the future, and deserves to be encouraged.

8. In our view, such an operation will have limited effect in the absence of a strengthening of means and measures designed to destroy the true sources of illicit trafficking in small arms and light weapons in all its aspects.

9. Thus, Algeria's position in this area is crystal clear: it involves a full readiness to promote international cooperation to combat the proliferation, circulation and trafficking of small arms and light weapons, and is aimed at undertaking the following actions to eradicate this scourge:

(a) Accession of all States Members of the United Nations to the international instruments on combating terrorism and organized crime;

(b) Elimination of the channels and networks involved in the illicit trafficking in small arms and light weapons;

(c) Taking of all appropriate measures to dismantle the networks of logistic support for terrorism which engage in fund-raising for the illicit acquisition of arms;

(d) Strengthening of the capacity of Interpol so as to enable it to combat the manufacture and illicit trafficking of small arms and light weapons effectively;

(e) Strengthening of cooperation, exchange of data and experience and training of competent personnel, including the personnel of customs and information services and those responsible for arms control at the national, regional and international levels, with a view to preventing, combating and eliminating illicit trafficking in small arms and light weapons.

Bolivia

[Original: Spanish]
[28 May 2002]

1. As a Member State, Bolivia is under an obligation to support the United Nations study to examine the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, to be submitted to the General Assembly at its fifty-eighth session.

2. However, the Bolivian draft law on weapons, munitions and explosives, which would enable it to fulfil such international commitments as contemplated in paragraph 10 of General Assembly resolution 56/24 V, is currently before the National Congress and has not yet been adopted.

3. In that regard, the Bolivian delegation informed the seminar organized by the Lima Regional Disarmament Centre and the Inter-American Drug Abuse Control Commission (CICAD) on "The Application of the Model Regulations for the Control of the International Movement of Firearms, their Parts and Components and Ammunition" (Brasilia, 26-28 February 2002), of the current status of its draft law on weapons, munitions and explosives, which has the backing and cooperation of the Organization of American States (OAS), and that Bolivia would proceed by way of an exchange of notes with the President of the Chamber of Deputies and the President of the Defence Commission for the Adoption and Promulgation of the Law on Weapons.

Colombia

[Original: Spanish]
[29 April 2002]

1. The General Assembly in its resolution 56/24 V requested the Secretary-General to appoint a group of governmental experts to study the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. In the view of the Government of Colombia, this implies that all States must make a commitment to collaborate in investigating the actions that lead to the supply of illegal weapons, which also includes close and timely international cooperation.

2. In the light of the initiatives taken during the past decade at the regional and international levels, from the General Assembly's endorsement of the reports of the Secretary-General on "Ways and means of promoting transparency in international transfers of conventional arms" and on "Small arms", and more recently the adoption of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, we are not starting from scratch in carrying out the task entrusted to us in resolution 56/24 V. There is already a consensus that the fight against the illicit traffic in small arms and light weapons requires concerted global action to identify the sources and supply lines of those weapons and the points at which they are diverted to unauthorized individuals.

3. The report of the Secretary-General on "Ways and means of promoting transparency in international transfers of conventional arms", drafted by a group of governmental experts and endorsed by the General Assembly in 1991, states that, despite the secrecy surrounding the illicit arms trade, it would be possible to identify some channels or modes of operation by calling for international cooperation. However, despite agreements reached in that area and the greater awareness achieved in recent years regarding the problems of the illicit traffic in small arms and light weapons and its impact on global peace and security and the stability of many nations, international cooperation aimed at tracing the sources and supply lines of illegal weapons has been rare and, in many cases, evasive.

4. If we look at the experiences of countries where arms trafficking not only has continued but has increased considerably — and in Colombia not a week goes by without a seizure by the authorities in some part of the country of weapons and munitions that were brought into the country covertly — efforts to discover the origins of the arms seized have frequently been fruitless, as have many efforts to ensure that the States of origin of the weapons take due responsibility for those acts.

5. There could be a myriad of reasons for this situation. And those reasons are what the Group of Experts will attempt to decipher in order to counteract the inability of the international community to establish an effective system of tracing illegal weapons that would curb their uncontrolled proliferation and prevent their diversion to unauthorized destinations.

6. The reports mentioned use as an example illicit arms trafficking carried out across borders that are not adequately patrolled by the competent authorities. This problem has been amply addressed by the various groups of experts, and it is well known that the solution depends, as stated in regional and international agreements, on the capacity of customs officials and the police to detect illegal arms, and also in certain cases, on the conclusion of bilateral agreements between neighbouring countries and those from which these weapons originate.

7. The reports state that illicit arms trafficking generally takes place without the knowledge of Governments. Although this can be true in some cases, we now have glaring examples of Governments which have been directly involved in this trafficking, or which have used intermediaries to carry it out. There are also situations where former high-ranking officials of a Government have been or are being investigated for this crime, including violations of arms embargoes imposed by the Security Council.

8. Similarly, the reports cite examples of the devious methods used to transfer arms illegally, such as falsifying documents, bribing officials, lack of supervision of trade and transport agents, money laundering, etc., which leads to the conclusion that, as stated in the report entitled "Study on ways and means of promoting transparency in international transfers of conventional arms: Government-to-Government agreements covering arms transfers can help to reduce the possibility of the diversion of arms to unauthorized destinations" (A/46/301, annex, para. 141 (c)). Regrettably, this recommendation has not become an international norm, although there is a general belief that arms transfers carried out solely between Governments could help to prevent illicit trafficking and ensure that arms do not come into the hands of terrorists or non-State actors.

9. The reports recognize that the controls imposed by States over their small arms and light weapons are critical to prevent their distribution, which could be destabilizing, and to eradicate their illicit trade. They also recognize different stages in the arms trade on which those controls should focus in order to prevent their acquisition by unauthorized individuals: manufacture, warehousing, distribution, transport, export, import and transit. Regional agreements such as those among the countries of Latin America and the Caribbean, Africa and Europe, as well as the international commitments made by States in the Programme of Action adopted by the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects already include such controls, in addition to a series of measures that States should apply to prevent, combat and eradicate this illicit trade.

Tracing and preventive action

10. Among the measures which States should impose to prevent, combat and eradicate the illicit trade in small arms and light weapons, the tracing of illegal weapons stands out as one of the most important. However, because seized weapons subject to tracing are at best a small part of those transferred through clandestine and illicit channels, it is obvious that the main effort by each State must be to prevent illicit arms transfers, so that with the implementation of the internationally agreed measures in the Programme of Action adopted by the 2001 United Nations Conference, they can combat the proliferation of illegal weapons and prevent those who would use them to commit crimes from acquiring them.

International cooperation

11. The tracing of illegal weapons is an enterprise that evidently requires a true commitment by States to implement the measures that will allow them to follow the trail of weapons from the manufacturing process though their seizure or decommissioning when they have been used outside the law or as the instrument for the commission of a crime. These measures include:

- Adequate marking of weapons. All weapons produced must bear markings identifying the country of origin, the company which manufactured them, the year of production and the importing country when applicable, along with serial and model numbers indicating the history and path of each weapon. Without those markings and the corresponding registries, it would be impossible to exercise appropriate control over the weapons manufactured, stockpiled, sold or distributed, just as it would be impossible, without international cooperation, to share useful information allowing them to be traced to the groups or individuals involved in their illicit trafficking.

- Effective control of weapons stockpiles, in order to avoid the loss or theft of weapons that could then be illegally transferred.
- Maintaining registries of stockpiled and transferred weapons, including information on the brands, the sales and transport agents authorized to make each transaction, and the authorities of the transit and destination countries responsible for overseeing the legitimacy of their transfer.
- Control of arms transfers through the use of certificates for export, import and transit, in order to identify the points of diversion or loss of control of transferred arms.
- The establishment of standards and mechanisms for the supervision of intermediaries, commercial agents and arms transporters, which would help to prevent any diversion of arms to clandestine or illicit trade.
- Prohibiting arms manufacturers from selling arms to anyone without the approval of the competent authorities of the countries involved in a transaction.
- Exchange of information is essential for tracing of weapons. All countries must take responsibility for providing information on weapons used in criminal activities, in order to neutralize their illicit trade and prevent access by traffickers, terrorists and criminals. An attempt should be made to provide information that will allow the authorities to trace the history or the path of weapons seized, investigate their sources, determine whether they were stolen or transferred illegally and follow the routes used. The information supplied should also assist the authorities in identifying the individuals involved in criminal activities and to recognize trends and behaviour patterns among arms traffickers.

The role of arms manufacturers

12. The cooperation of arms manufacturers is essential. Their role in the marking and tracing of arms can make a definitive contribution to the work of the State authorities of preventing and curbing illicit arms trafficking which feeds into conflicts being waged around the world. It is to be hoped that the arms manufacturers in all countries will collaborate in creating an international instrument, engraving a unique marking on each weapon produced that will allow the authorities to identify its origin and determine where and to whom they were sold, in such a way that tracing can begin and it will be possible to ascertain how they entered into illicit trade and what the point of diversion was.

Timely and reliable responses

13. Information and communications technology, to which all countries now have access, facilitates the registry of arms and the work of tracing and, therefore, the effectiveness of international cooperation in this field. Timely and reliable responses must be provided to requests for detailed information from the competent authorities of the affected States to the countries of origin of seized weapons. Requests for information on the tracing of seized weapons should not be taken as a cause for confrontation between the States involved, but as an opportunity for cooperation with the affected nations.

14. The information gathered by governmental agencies on the movements of firearms could also be utilized in lawsuits against arms manufacturers and traders who violate national regulations concerning legal sale and distribution.

Tracing of funds

15. The tracing of funds is a required measure for detecting and investigating any crime involving terrorism, narcotics trafficking and illicit arms trafficking. After the attacks of 11 September 2001 in the United States of America, security experts have reached the conclusion that the tracing of funds can lead to the exposure of the scope of a crime and the destruction of criminal organizations.

16. Exchange of information is also an essential factor in efforts undertaken to interfere with the financing utilized by arms traffickers and to prosecute those who acquire arms to commit crimes and terrorist acts.

17. In order to deprive terrorist groups of financing, the international community has undertaken an unprecedented global campaign against money laundering, thereby attempting to end the financing of terror. At the same time, it is preparing legal changes and agreements to intensify the prosecution of laundered money. This is a task that will require

international cooperation as long as this money continues to circulate throughout the world.

18. Colombia, in its fight against drug trafficking, arms trafficking, terrorism and organized crime, has a special law to prevent the laundering of capital and a Financial Analysis Unit responsible for detecting practices associated with money laundering. In April 2001, Colombia signed an agreement with the United States on the exchange of tax information that led to 180 investigations of suspected cases of money laundering through sharing and analysing data on income statements by individuals and companies. In the Latin American sphere, Colombia has trained bankers and officials in the financial sector, formed working groups within the Latin American Federation of Banks and, more recently within the framework of the Organization of American States (OAS), has headed a working group of the Inter-American Committee against Terrorism, which will guide the efforts to combat money laundering in the hemisphere. In the view of the Government of Colombia, a set of measures must be adopted at the international level which will enable the tracing of money laundering arising from illicit trade in small arms and light weapons and at the same time identify the groups and individuals involved in this crime, even though it will entail radical changes for banks and financial institutions at the global level.

The work of Interpol

19. Interpol is an important tool for the pursuit of criminals and terrorists at the global level. It provides access to an international information network that allows member countries, through its General Secretariat and the electronic mail system, to supply data relating, inter alia, to seized weapons and their alleged traffickers. These data are incorporated into the network for the information of all countries or the countries which the source of the information authorizes. The recent establishment of an information network on the movement of funds to terrorists could in some cases curb the activities of traffickers in small arms and light weapons and assist the authorities in the related investigations. However, it must be taken into account that Interpol is a mutual assistance organization and cannot order any action. Thus, it is the responsibility of each State to take the actions it considers appropriate.

20. The Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, in its section II, paragraph 37, encourages States and the World Customs Organization and other relevant organizations, such as the recently established Europol, to enhance cooperation with Interpol to identify those groups and individuals engaged in the illicit trade in small arms and light weapons, in order to allow national authorities to proceed against them in accordance with national laws (A/CONF.192/15, chap. IV, sect. II, para. 37).

21. For several years Colombia has been working closely with Interpol and has received valuable support from that organization in coordinating, centralizing and verifying information related to the illicit activities of persons with criminal records and/or international arrest warrants, including activities related to the illicit arms and munitions trade. However, international cooperation in the tracing of weapons seized in the country has been lacking, as has, consequently, the capture and prosecution of the criminals involved.

Cuba

[Original: Spanish]
[29 May 2002]

1. The Republic of Cuba welcomes the steps that States Members of the United Nations have been taking in the search for ways to prevent, combat and eradicate the illicit traffic in small arms and light weapons in all its aspects.

2. The United Nations has proved to be the ideal forum for carrying out this task. Cuba has been and continues to be strongly committed to these efforts.

3. Accordingly, Cuba is ready to explore and discuss, in a spirit of cooperation, the various formulas that may be considered relevant to the objective of increasing Member States' response capacity to prevent, combat and eradicate the illicit traffic in small arms and light weapons in all its aspects. In this context, Cuba will participate actively in examining the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.

4. Since small arms and light weapons are the sole means of defence for most countries in the world,

while for a handful of others they are just one more category of weapons in a vast military arsenal that includes weapons of mass destruction, any international instrument that is developed will have to be based on the purposes and principles enshrined in the Charter of the United Nations, particularly those of respect for sovereignty, non-intervention and self-determination of peoples, as well as the interests of national security and self-defence.

5. Any international instrument to tackle the problem of the illicit traffic in small arms and light weapons would also have to recognize that we are living in an unequal world, in which the problems currently facing humankind take different forms that vary from one region to another and even from one country to another, and that not all countries are in the same political, economic, cultural and social circumstances when it is a question of dealing with the problem of the illicit trade in small arms and light weapons.

6. Any suggestions or proposals deriving from the study recommended in paragraph 10 of resolution 56/24 V will have to take into account these realities.

7. The duplication of actions and measures already envisaged in the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted at the United Nations Conference held in July 2001, should also be avoided.

8. In this process, account will have to be taken of the comments and views put forward by Member States in the course of the discussion of this issue in the United Nations.

9. For Cuba, international cooperation will have to be a fundamental premise of any international instrument designed to prevent, combat and eradicate the illicit traffic in small arms and light weapons in all its aspects.

Dominican Republic

[Original: Spanish]
[21 May 2002]

The Dominican Republic fully supports General Assembly resolution 56/24 V and the idea of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons in order to ensure their effective international control.

Ecuador

[Original: Spanish]
[21 June 2002]

1. The Government of Ecuador, recognizing that the trade in small arms and light weapons is disruptive to global peace and security, attaches special importance to multilateral efforts to deal with the phenomenon. Ecuador has expressed its deep concern at the proliferation of this category of arms, which is associated with violence, terrorism and social disintegration around the world. For these reasons, our country supports the view, and believes that it should be duly emphasized, that there is a link between illicit small arms, poverty and underdevelopment. On the basis of such considerations, Ecuador reaffirms the need for States to undertake development and community assistance programmes addressed to the most vulnerable sectors of society. It also maintains a commitment to fully support the elaboration and implementation of international instruments to promote the fight against transnational organized crime and to combat the manufacture and illicit trafficking of firearms, their parts, components and ammunition, within the framework of the Commission on Crime Prevention and Criminal Justice.

2. Ecuador considers it extremely useful and necessary to establish a register of small arms and light weapons at the regional and global levels, owing to the danger posed by the unrestricted production, distribution and possession of arms of this type. It suggests that monitoring mechanisms and measures be adopted to achieve greater transparency in the acquisition of such arms. Ecuador also attaches importance to the establishment of regional registers of small-calibre arms and to periodic exchanges of available information relating to the export, import, manufacture and possession of such arms.

3. Since at the domestic level arms of this type are permitted in national defence operations, in order to safeguard legitimate, collective security interests, banning them outright, as in the case of anti-personnel landmines, would be a difficult task. In this connection, we recognize the importance of strengthening legal bodies and regulations in this area at the national level,

in order to close gaps and thus establish a better system of control over the production of small arms and their export and import. We deem it necessary to establish and designate agencies responsible for coordinating the prevention and monitoring of the illicit trade in small arms.

4. In the social sphere, Ecuador is aware that it is a matter of priority to undertake educational campaigns addressed to civil society, particularly children and adolescents (over 300,000 lives are lost each year), in order to deter the risks posed by this scourge.

5. In the regional context, Ecuador is concerned at the consequences that could arise from the lack of provisions for controlling arms of this type; delay in dealing with the problem would lead us into a situation that would represent a significant diversion of resources, which would be detrimental to the social and economic development of our peoples. In this connection, the lifting by the United States of America of the ban on the sale of high-technology weapons to Latin America is a matter of concern to our country. Our national commitment and policy support the process of general and complete control of the illicit trade in small arms and light weapons, under effective international supervision. That process should advance at a firm pace, in accordance with the legal and moral conscience of the international community, and especially the countries of Latin America and the Caribbean, as embodied in the Treaty of Tlatelolco.

El Salvador

[Original: Spanish]
[29 April 2002]

The Government of El Salvador supports the aims of paragraphs 10, 12 and 13 of General Assembly resolution 56/24 V, since they are also envisaged in articles 1, 11, 30 and 31 of the Framework Treaty on Democratic Security in Central America and in the laws of the Republic of El Salvador.

France and Switzerland

[Original: French]
[14 June 2002]

Joint contribution by France and Switzerland

In accordance with the commitments they have made in the context of the Programme of Action, France and Switzerland have directed their efforts and their diplomatic activity towards preventing, combating and eradicating the illicit trade in small arms and light weapons throughout the world.

1. France and Switzerland welcome the forthcoming meeting of the United Nations Group of Governmental Experts on Small Arms.

France and Switzerland expect that the Group of Governmental Experts will concentrate its efforts on the development of a legally binding instrument to be negotiated within the framework of the United Nations.

It would be especially desirable for those efforts to focus on aspects of the identification and traceability of illicit weapons that are not covered, or not fully covered, by the existing instruments.

France and Switzerland believe that a legally binding instrument is the best means of helping to solve the problem posed by the illicit trade in small arms and light weapons, and that the United Nations offers the most legitimate framework for that purpose.

2. In order to contribute to the practical implementation of, inter alia, section II, paragraph 36, of the Programme of Action adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, 9-20 July 2001) (A/CONF.192/15, chap. IV), France and Switzerland are endeavouring, through consultations, to define a political arrangement, open to all, on cooperation with regard to the traceability of illicit small arms and light weapons. That is the substance of the joint initiative launched by France and Switzerland on the traceability of light weapons.

The objective is to establish, through the formulation of a political arrangement, a traceability mechanism that will strengthen the ability of States to monitor, trace and identify, in a timely and reliable manner, supply lines for illicit weapons within a cooperative and pragmatic framework that guarantees respect for confidentiality.

3. In order to define and clarify the elements of the prospective political arrangement by which such a mechanism is to be established, France and Switzerland have held regular consultations in Geneva.

These consultations will be held concurrently with the work to be undertaken by the Group of Governmental Experts on the feasibility of an international instrument on the traceability of small arms and light weapons, which France and Switzerland support. The consultations carried out by France and Switzerland will enrich the debate under way on this subject and will also contribute to the work of the Group of Governmental Experts.

Guatemala

[Original: Spanish]
[5 June 2002]

Purpose

1. Guatemala, conscious of the need to minimize the influx or illicit circulation of arms, as a Member of the United Nations which is concerned about the situation, and with a view to eliminating arms trafficking, recommends the use of precautionary measures to that end, to be developed and implemented in accordance with the economic and human resources of each country.

Scope

2. General measures must be implemented within a global framework for the application of effective controls in the legal transfers of arms and munitions, so that they may be incorporated in the laws of each Member State.

Content

3. Guatemala wishes to enumerate the following measures for the consideration of the Group of Experts:

(a) Measures should be enacted within a global framework so that transfers of firearms and munitions take place with the full knowledge of the countries and individuals involved in handling them;

(b) Manufacturers should stamp arms and munitions with the marks needed for their identification, which should include the following indications:

(i) For firearms:

a. Trademark

b. Model

c. Calibre

d. Registration number

e. An additional mark with the name of the country of destination

(ii) For munitions:

a. Name of manufacturer

b. Lot number

c. Calibre

(c) Uniformity should be ensured in the placement of the identification marks stamped on arms and munitions;

(d) Worldwide control should be maintained over the production of arms and munitions for commercial use, along with those imported and exported by the signatories, and means of communication should be set up to enable Member States to exchange information;

(e) Annual meetings should be held bringing together the agencies responsible for arms and munitions control in the signatory countries;

(f) A worldwide classification of military weapons and weapons for personal or commercial use should be established, the manufacture and sale of copies or replicas of military weapons should be restricted, and the importation of weapons of that calibre should be prohibited;

(g) Member States should purchase the equipment needed to automate ballistic identification in order to collaborate with the bodies responsible for the investigation and prosecution of offences and make weapons easier to trace at the global level;

(h) The mechanisms should be strengthened for international cooperation in border and customs control in relation to the import and export provisions of each country's legal and internal security regime, as follows:

1. Exchange of information on and strengthening of customs control procedures;

2. Prohibition of the transit through the country of any shipment of firearms and/or

munitions which is not authorized by the country of destination.

Netherlands

[Original: English]
[22 May 2002]

Introduction

1. In response to a joint French-Swiss initiative, the United Nations has set up a Group of Experts mandated to develop a legally binding instrument on the marking and tracing of small arms, the aim being to make the ratification of the Firearms Protocol acceptable to all parties. D. J. Smit of the Customs Policy and Legislation Directorate, Ministry of Finance, represents the Netherlands in the Group.

Background information

2. In 2000, the United Nations Convention against Transnational Organized Crime was concluded. It has three protocols:

- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- Protocol against the Smuggling of Migrants by Land, Sea and Air;
- Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components, and Ammunition (the Firearms Protocol).

3. Pursuant to the Firearms Protocol, controls on arms trafficking will be based on a system of marking, regulated in article 8 of the Protocol, and tracing, regulated in article 10. The idea is that tracing, which enables arms to be traced by a system of import and export licences and transit documents, combined with marking, requiring arms to be individually identifiable, will make it possible to follow the merchandise from manufacturer to end-user.

4. The Firearms Protocol came into being after an arduous negotiation process, to which the text bears witness. The negotiations focused primarily on article 8, "Marking of firearms". Under paragraph 1 (a) of the article, every firearm must be furnished with a unique marking, including the manufacturer's name, the country or place of manufacture and its serial number. As an alternative, however, the article provides for the maintenance of a "unique user-friendly marking with simple geometric symbols".

Definition of the problem

5. There is a clear dichotomy in article 8: instead of the desired marking right down to the level of each individual firearm as a basis for the monitoring system, Member States may use their own coding systems. This means that tracing documents may refer in general to large batches instead of giving the numbers of individual firearms, which would seriously impede inspection. Article 8 was included in this form in order to make it possible to conclude the Protocol. It was an escape clause worded so as to induce countries with objections to a marking system that makes a weapon truly unique to agree to the text. The problem is that it makes it possible for those countries to circumvent the system while other countries are obliged to comply with it.

Solution

6. In order to resolve this impasse, the Group of Experts has been mandated to devise an effective, practical and hence acceptable system of marking and tracing that will make ratification acceptable.

Position of the Netherlands

7. Articles 8 and 10 outline the preconditions for a marking and tracing system: they define the goods to which the system will be applicable and the method to be followed.

8. Where marking is concerned, the Group of Experts must devise a unique, simple and user-friendly form of marking, preferably adhering to Roman lettering and Arabic numerals (excluding Chinese and Cyrillic characters, etc.).

9. This mode of marking must be designed with a view to enabling police and customs officials to perform checks comparing an individual firearm with its documents. Besides enabling them to see at a glance that the firearm and its documents correspond, it must make it possible, using a worldwide network of liaison centres (to be established) to discover where and when the firearm was made and the identity of its previous owner. The aim must be to arrive at a uniform method and manner of marking.

10. The Expert Group must also decide on the best and most user-friendly system, which would lead to each firearm bearing a unique and permanent marking. The technique adopted must in any case be a simple one, such as punching or engraving. Laser and etching techniques are undesirable on account of their complexity and the costs involved.

11. The Netherlands would note that for a tracing system to be acceptable and successful, it should be based as much as possible on existing licensing and tracing systems. Virtually every country already has such a system in place, in order to conduct checks on sensitive merchandise. The Expert Group should start by comparing the existing systems in each of the experts' countries, analysing where changes are needed to comply with the requirements of article 10, and then draw up a proposal for a uniform tracing system. This approach will help to prevent reams of paper being produced, as the proposals will be confined to adjustments to existing procedures.

Panama

[Original: Spanish]
[19 April 2002]

1. Panama considers the preparation of a multilateral framework agreement on the control of illicit small arms and light weapons to be a viable proposition, given their high social and economic cost for Latin America. Panama is of the view that a declaration by the General Assembly, while important, is not sufficient to limit this problem, which chiefly affects developing countries. On the basis of the aforementioned multilateral framework agreement, States could conclude bilateral or regional agreements dealing with specific problems that might affect them.

2. In this connection, the Republic of Panama considers useful the 65 measures and recommendations for implementation, international cooperation and assistance set out in the Programme of Action adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 9 to 20 July 2001. In particular, Panama recognizes the importance of establishing and launching in all Member States the Interpol Weapons and Explosives Tracking System (IWETS), an effort that will surely require both financial and technical support. The ongoing flow of information and the role of intelligence services must both be given special weight in this area.

3. It is suggested that a comparative study be conducted of the legislation and other norms of all Member States dealing with the control and authorization of the manufacture, distribution and use of small arms and light weapons. It should be noted that any international instrument that is adopted will require subsequent adjustments to ensure consistency with the legal order of individual countries. It would therefore be particularly useful to have the study in hand in order to identify possible internal legal obstacles to an international instrument of this type.

Qatar

[Original: Arabic]
[12 April 2002]

1. With regard to the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, we support the idea of developing such an instrument, subject to its being submitted by the United Nations Department for Disarmament Affairs so as to facilitate agreement on unified wording defining small arms and light weapons.

2. As regards the tracking of the illicit trade in small arms and light weapons in all its aspects, we propose that this should be done by encouraging States, the World Customs Organization and other relevant organizations to strengthen cooperation with the International Criminal Police Organization-Interpol in tracking and identifying groups and individuals engaged in such trade, with a view to enabling national authorities to prosecute those persons in accordance with their national laws.

Russian Federation

[Original: Russian]
[30 April 2002]

1. Recognizing the urgency of the problem of the illicit traffic in small arms and light weapons, the Russian Federation is convinced of the need for the joint efforts of the world community to resolve it and intends, in this connection, to continue its close

cooperation with all the international and regional organizations concerned.

2. The Russian Federation attaches great importance to the results of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York in July 2001, and supports the leading role of the United Nations in the development of international cooperation and coordination of initiatives put forward in that area and is engaged in constructive work in the Group of Governmental Experts on the preparation of a study on the feasibility of developing an international instrument on the identification and tracing, in a timely and reliable manner, of illicit traffic in small arms and light weapons in accordance with General Assembly resolution 56/24 V of 20 December 2001.

3. The Russian Federation considers the core of the problem of the uncontrolled proliferation of small arms and light weapons to be illicit deliveries, which are the main source for the acquisition of weapons destined for illicit armed formations, terrorist organizations and the Governments of States under a United Nations embargo. The responsibility for establishing control over the traffic in small arms and light weapons rests with the national Governments of countries in the territory of which the weapons are either produced or in active circulation. In this connection, it is essential that there should be coordination between national systems for the control of the legal production, storage and transfer of small arms and light weapons and between mechanisms for the prevention of such operations of an illicit character. It is therefore important to take into account that the solution of many problems relating to the illicit traffic in small arms and light weapons in individual States requires considerable international support, including technical and financial support.

4. The first steps towards the development of international instruments on the timely and reliable identification and tracing of illicitly trafficked small arms and light weapons might include the following:

- A study of the feasibility of establishing an effective criterion for the international regulation of the export of small arms and light weapons
- A study of the feasibility of exchanging information on the illicit traffic in small arms and light weapons
- The organization of an exchange of experiences on questions relating to the improvement of the national legal and technical bases for combating the illicit traffic in small arms and light weapons
- Strengthening of national control over the licensing and financing of transactions connected with small arms and light weapons with a view to avoiding "grey areas", as well as customs controls
- Ensuring that small arms and light weapons are delivered solely to legitimate Governments or to persons authorized by them
- Reciprocal recognition of national systems for marking small arms and light weapons
- A study of questions relating to the limitation of the rights of individuals to possess small arms and light weapons
- Consideration of questions relating to the illicit traffic in small arms and light weapons in the same context as problems relating to international terrorism and illicit traffic in drugs, in view of the close interconnection of financial sources used to support international terrorism and the illicit traffic in drugs.

Annex II

Data and information provided by States on a voluntary basis, including national reports, on the implementation by those States of the Programme of Action

Australia

[Original: English]
[20 June 2002]

Australia's national implementation of the Programme of Action

1. Australia's Small Arms Policy, released in July 1999, identified a range of practical measures at the national, regional and global levels for addressing problems related to small arms. Implementation of the Programme of Action at the national level in Australia is well advanced, through an established and comprehensive system of policies and regulatory frameworks relating to small arms and light weapons, details of which are outlined below.

2. Australia's point of contact for international liaison on matters relating to implementation of the Programme of Action is the Conventional and Nuclear Disarmament Section of the Department of Foreign Affairs and Trade.

3. The Firearms Unit of the Commonwealth Attorney-General's Department is responsible for providing the Minister for Justice and Customs with a national perspective on firearms policy and prohibited weapons. Policy responsibility for firearms controls at the Commonwealth (national) level resides with the Minister for Justice and Customs. The Firearms Unit provides the Minister with policy advice on matters relating to the importation of firearms and dangerous goods under the Customs (Prohibited Imports) Regulations 1956 and on national policy matters such as the development of more consistent and effective firearm control legislation by the states and territories. These matters are advanced through the Australasian Police Ministers Council (APMC), as laws regulating the ownership, possession and use of firearms are the responsibility of state and territory governments. APMC is also responsible for the development of the Minimum National Standards for Firearms Safety Training and the Firearms Safety Code. The Firearms Unit also processes applications for permission to import items listed in schedule 6 of the Regulations. Import approval must be obtained prior to the goods arriving in Australia.

4. In Australia, the possession and manufacture of guns and all other types of small arms are subject to strict national controls and strong law enforcement. Australia has in place some of the most stringent firearms laws in the world. Following the Port Arthur massacre in 1996, Australian governments tightened the regulation of ownership and licensing of firearms through the historic National Firearms Agreement reached by APMC in May 1996.

5. The National Firearms Agreement includes: bans on specific types of firearms; registration systems maintained by each jurisdiction and linked across Australia; requirement for genuine reasons for owning, possessing or using a firearm; minimum licensing requirement; compulsory safety training for all licence holders; grounds for licence refusal or cancellation and seizure; permit to acquire; minimum standards for the security and storage of firearms; recording of sales, including control of mail-order sales; and amnesty and compensation.

6. Australia also has in place strict and comprehensive controls and licence procedures to regulate the import and export of small arms. These controls restrict the legal trade in small arms, which in turn helps to prevent illicit trafficking.

7. All proposed exports from Australia of defence and related goods, including small arms, are subject to comprehensive, case-by-case government review and licence procedures. Licence approvals are issued only where export is consistent with Australia's international obligations and broader interests, including security and human rights considerations.

- In March 2000, Australia increased penalties for illegal firearms trafficking, including some types of small arms, through amendments to the Customs Act 1901 making criminal offences relating to smuggling or importing firearms

punishable on conviction by a penalty of up to $250,000 and/or 10 years' imprisonment.

- Importation of handguns under the Customs (Prohibited Imports) Regulations 1956 has also been tightened (in August 2000 and again in April 2001). Importers now require permission from state and territory police prior to the importation and sale of imported handguns occurring, and limits are placed on the stocks of newly imported handguns that importers/dealers can hold (handguns stocks over and above the set limits must be held by the Australian Customs Service). The amendments to the Regulations in April 2001 also extended controls to handgun frames/receivers in the same fashion as complete handguns. This occurred because handgun frames/receivers were being legally imported as parts and subsequently assembled as an operative firearm.
- Australia's strict policy on illegal arms transfers is illustrated by the various conditions under which exports of military small arms and military goods are expressly prohibited, including:
  - To countries against which the United Nations Security Council has imposed a mandatory arms embargo
  - To Governments that serious violate their citizens' rights, unless there is no reasonable risk that the goods might be used against those citizens
  - Where foreign and strategic policy interests outweigh export benefits.

8. Australia has also decided that in certain circumstances it may be necessary to prevent the export of non-military lethal goods (including certain types of small arms, such as hunting or sporting weapons) to particular destinations on foreign policy, defence or other national interest grounds. As with military goods, the export of non-military lethal goods also requires an export licence or permit.

9. Australia fully complies with third-party transfer undertakings and obligations provided to the original exporting State. The discharge of these obligations includes notification of the original exporting State of the intention to retransfer.

10. Strict control measures apply to military weapons, munitions and explosives. Weapons are individually numbered and tracked, and are stored securely in defence establishments. All weapons are registered and subject to strict accounting procedures, including an annual census under the supervision and direction of the Defence Inspector General's Office. The aim of each census is to account for 100 per cent of weapons. Thorough investigation procedures are in place for investigations into the loss, theft or attempted theft of weapons, ammunition and explosives. Control measures on the employment of military small arms are enforced on operations through Rules of Engagement and Orders for Opening Fire.

11. Defence operates an inventory management system which details the exact number and location of its small arms by type. All Australian Defence Force official stocks are audited on an annual basis. Defence regularly reviews operational stock levels against capability requirements. This analysis provides the basis for ongoing provisioning and determination of any potential surplus.

12. Disposal or destruction of surplus weapons is managed by the Armaments Systems Programme Office of the Defence Materiel Organisation, with guidance from Service Headquarters. If a particular weapon is declared out of service, disposal action will be commenced. Weapons are destroyed (usually by smelting), or occasionally they may be on-sold to a third country. The same process occurs for weapons declared surplus to requirement. However, surplus weapons may be held in long-term storage as war reserve stocks. In the event of a sale, the transfer of the weapon is effected according to the aforementioned procedures governing weapon exports. This ensures that the sale complies with relevant Australian Government policy and that arms or weapons are sold only to approved purchasers, using the mechanism of end-user certification. In both the case of disposal by sale to another country and/or destruction, official stocks are strictly controlled by the Defence Materiel Organisation using extant procedural requirements, including the record of all serial numbers.

13. Exports of military and sporting firearms are controlled under Customs (Prohibited Exports) Regulation 13 (e). The Australian Federal Police (AFP) and the Department of Defence have in place measures to verify whether firearms to be exported have been stolen.

14. The Australian Federal Police imports official police-issue firearms directly from the manufacturers, bypassing product importers and agents. AFP clears all their firearms through customs directly into the AFP Central Armoury. Those firearms are then inspected and registered before being issued personally to sworn members. Regular audits, inspections and servicing are conducted. The transport of firearms is controlled through secure couriers under special contract conditions. All security conduct is controlled by the AFP Protective Security Manual.

15. State and territory police forces are responsible for regulating the sale, ownership, possession and use of firearms within their area of jurisdiction. Regulations are based upon the requirements established by the National Firearms Agreement.

16. Australia has worked hard to develop and strengthen laws and regulations and to improve the traceability of possession and transfers. The Commonwealth has amended the Customs (Prohibited Imports) Regulations in line with the National Firearms Agreement. Prohibited or restricted firearms may only be imported with the appropriate import permission and, under certain circumstances for high-powered firearms, with the permission of the Attorney-General.

17. All states and territories maintain registers of firearms held within their respective communities. Details kept include the make, model and serial number of firearms as well as personal details of owners. The CrimTrac Agency is currently developing a national register of firearms.

18. The Commonwealth passed the National Firearms Programme Implementation Acts 1996 and 1997 to provide for financial assistance to the states and territories to reimburse them for compensation paid to gun owners for the surrender of prohibited weapons under the National Firearms Programme. Some 660,000 firearms have been relinquished and destroyed under the programme.

Bangladesh

[Original: English]
[17 January 2002]

1. Adoption of destruction as a major means of disposal of confiscated illegal small arms and light weapons.

2. Observance of 9 July every year as Small Arms Destruction Day.

Belarus

[Original: Russian]
[6 May 2002]

1. National marking systems used in the manufacture and/or import of small arms and light weapons

The Republic of Belarus uses, as its national marking system for small arms and light weapons, the marking system of the former USSR, which has been adopted by the Russian Federation.

The Republic of Belarus has not developed and does not use national technology for marking, or procedures and technology for marking unmarked small arms and light weapons.

There is no import marking for small arms and light weapons imported into the Republic of Belarus. The date and place of the transport of small arms and light weapons across the customs border of the Republic of Belarus are determined on the basis of accompanying documents (licences) and attachments to them.

2. National procedures to monitor the manufacture of small arms and light weapons

There are no enterprises that manufacture small arms and light weapons at the present time in the Republic of Belarus. Production in this field is subject to State licensing. Licences are issued by the authorized bodies of a State agency.

The following procedure for the issuance of licences for the production of small arms and light weapons is currently in effect:

1. Submission of an application, in accordance with the established form and with an attached copy of the constitutive documents, a certificate of State registration, documents on the payment of the State duty, information on the qualification of workers and all equipment, data on technical documentation ensuring the observance of requirements relating to the quality and safety of operations, information on organizational and technical measures for maintaining secrecy and counteracting technical means of

espionage to the Ministry of Defence of the Republic of Belarus.

2. The Ministry of Defence of the Republic of Belarus, on the basis of the consideration of those documents, forwards them to the Interdepartmental Committee on Military and Technical Cooperation and Export Monitoring of the Security Council of the Republic of Belarus.

3. The final decision to issue a licence is approved by the State Secretary of the Security Council of the Republic of Belarus on the basis of the results of the consideration by the Interdepartmental Committee on Military and Technical Cooperation and Export Monitoring of the Security Council of the Republic of Belarus.

4. If a positive decision is taken, the Ministry of Defence of the Republic of Belarus grants a licence for manufacturing the corresponding types of small arms and light weapons.

5. In order to conduct foreign trade operations, the applicant (manufacturer) applies to the Ministry of Foreign Affairs of the Republic of Belarus in order to receive a certificate granting the right to carry out foreign trade activities with respect to specific goods (work, services).

The period of validity for a licence to manufacture small arms and light weapons is five years.

In renewing a licence, the procedure is similar to that for obtaining a licence.

There are no circumstances under which it is not required to obtain a licence in order to manufacture small arms and light weapons.

Records, licences and corresponding documentation must be preserved for an unlimited period of time.

The State monitoring agencies of the Republic of Belarus monitor on an ongoing basis the proper use of licences.

A licence may be revoked if there is a violation of:

- Safety measures and techniques relating to personnel and/or the environment;
- Export laws in carrying out foreign commercial operations;
- The technical parameters for manufacturing small arms and light weapons.

The legislation of the Republic of Belarus provides for criminal liability for the illegal production of small arms and light weapons. In accordance with article 295 of the Criminal Code of the Republic of Belarus:

1. The illegal manufacture or sale of smooth-bore hunting weapons or essential parts of such weapons is punishable by a fine or detention for a period of up to three months, or restraint of liberty for a period of up to two years, or imprisonment for the same period.

2. The illegal manufacture, acquisition, transfer, sale, storage, transport, sending or carrying of a firearm (except a smooth-bore hunting weapon) or ammunition for such weapons, explosives, explosive devices or the illegal manufacture or sale of essential parts for a firearm or explosive devices are punishable by corrective labour for a period of up to two years, or detention for up to six months, or restraint of liberty for up to five years, or imprisonment for up to six years with or without confiscation of property.

3. The acts provided for under the second or third sections of this article, if committed repeatedly or by a group of persons on the basis of prior agreement, are punishable by restraint of liberty for a period of up to five years or imprisonment for two to eight years with or without confiscation of property.

4. The acts provided for under the second or third sections of this article, if committed by an organized group, are punishable by imprisonment for a period of 4 to 10 years with or without confiscation of property.

3. National legislation and existing practice relating to export policy, procedures and documentation and the monitoring of international dealing in firearms

Basic principles, policy and/or national practice with regard to the export of conventional arms and related technology

Export monitoring in the Republic of Belarus is based on the following basic principles (article 4 of the Act of the Republic of Belarus on Export Monitoring):

- State monitoring of the transport of objects subject to export monitoring across the customs border of the Republic of Belarus;
- Verification of the use of objects subject to export monitoring;
- Openness and accessibility to information on the procedures, regulations, objectives, tasks and principles of the functioning of the export monitoring system and measures for determining responsibility for violations of the laws of the Republic of Belarus on export monitoring;
- Drawing up lists of objects subject to export monitoring and also of countries to which the export of objects subject to export monitoring is temporarily prohibited or restricted;
- Harmonizing the procedures and regulations for export monitoring with generally recognized international norms and practices.

National legislation governing the export of conventional arms and related technology. Amendments and revision of normative acts, including all auxiliary normative acts in this area

The following legislative acts governing the export of conventional weapons and related technology are in force in the Republic of Belarus:

1. Act of 6 January 1998 of the Republic of Belarus on Export Monitoring;

2. Decree No. 265 of 11 May 1999 of the President of the Republic of Belarus, approving the Regulations on the Procedure for Granting to Legal Entities of the Republic of Belarus the Right to Conduct Foreign Commercial Activities in respect of Specific Goods (Work, Services);

3. Decision No. 27 of 10 January 1998 by the Council of Ministers of the Republic of Belarus on enhancing State monitoring of the transport of specific goods (work, services) across the customs border of the Republic of Belarus.

Any international agreements or guiding principles relating to the export of conventional arms that apply to the Republic of Belarus

The Republic of Belarus regularly participates in the United Nations Register of Conventional Arms in accordance with General Assembly resolution 46/36 L of 9 December 1991.

The Republic of Belarus regularly provides information in accordance with the questionnaire of the Organization for Security and Cooperation in Europe (OSCE) on the transfer of conventional weapons.

The Republic of Belarus also participates in the exchange of information within the framework of the OSCE Document on Small Arms and Light Weapons.

Procedure for considering requests to export conventional arms and related technology; to whom are the corresponding authorizations issued?; which other bodies participate in this, and what is their role?

The procedure for obtaining a one-time (general) licence to export conventional arms and related technology is determined by decision No. 27 of 10 January 1998 by the Council of Ministers of the Republic of Belarus on enhancing State monitoring of the transport of specific goods (work, services) across the customs border of the Republic of Belarus. The Ministry of Foreign Affairs issues one-time and general licences to export conventional arms to economic entities of the Republic of Belarus.

The following documents are provided in order to draw up a licence to export specific goods (work, services):

- A copy of the extract from the record of the meeting of the authorized agency of the Republic of Belarus engaged in monitoring the export and import of specific goods (work, services) with regard to the possibility of carrying out a foreign trade contract;

- Two copies of the established form of the licence application to export specific goods (work, services);
- The original and a certified copy of the foreign trade contract;
- The original of the international import certificate (or final-user certificate) issued by the authorized State agency of the receiving country;
- Documentary confirmation of the sources of specific goods (work, services).

The application format for a licence to export conventional weapons and related technology is determined by the State Security Committee, and also, if necessary, through a decision by the Interdepartmental Committee on Military and Technical Cooperation and Export Monitoring of the Security Council of the Republic of Belarus and the other State bodies concerned (Ministry of Defence, Ministry of Industry, National Academy of Sciences and State Committee on Science and Technology).

Lists of types of conventional arms the export of which is subject to national monitoring, and the basis for such monitoring. Changes and refinement

The list approved by joint decision No. 9/64 of 26 December 2001 of the Ministry of Foreign Affairs and the State Customs Committee is currently in effect.

Principles and national regulations concerning the recipients or end-users of exported technology. Is there a comprehensive list relating to: recipients to whom deliveries require heightened attention?; countries to which deliveries have been prohibited?; distinctions made between recipients (for example, individual countries or groups of countries that enjoy a more favourable regime)?

In accordance with article 10 of the Act of the Republic of Belarus on export monitoring, restrictions may be placed on the export of goods subject to national export monitoring to countries to which such exports are prohibited or restricted in accordance with the international obligations of the Republic of Belarus. In such cases a list of States and also individual objects subject to export monitoring that are prohibited for export to such States is approved by the President of the Republic of Belarus.

There are no regimes of preferences for countries or groups of countries in the export of goods subject to export monitoring.

Is it required to present end-user certificates in submitting applications for export licences or to include in conventional-arms export contracts provisions prohibiting their re-export, or any other type of certification before and after delivery in connection with such contracts?

If so, how is verification carried out before and after delivery with regard to end-user certificates and/or provisions prohibiting re-export?

An import certificate or an end-user certificate must be submitted to the Ministry of Foreign Affairs in order to draw up a licence to export conventional arms and related technology.

National definition of the concepts of the transit and trans-shipment of goods (including free zones) with regard to conventional arms and related national legislation and procedures for ensuring its observance

In accordance with the Act of the Republic of Belarus on export monitoring, transit means the movement of objects subject to export control through the territory of the Republic of Belarus between two points on the State border of the Republic of Belarus under customs supervision.

The transit of conventional arms through the territory of the Republic of Belarus is carried out with the authorization of the Ministry of Internal Affairs, the Ministry of Defence and the Ministry for Emergency Situations. In this regard, special requirements for protection and packaging are laid down.

Procedures used with regard to companies that intend to export arms. Must such companies apply to government bodies for official permission to conduct negotiations with foreign clients on concluding contracts or for the signing of such contracts?

In accordance with national legislation, only companies that have certificates entitling them to

engage in foreign trade activities in respect of specific goods (work, services) may export arms. These certificates are issued by the Ministry of Foreign Affairs.

The policy with regard to the cancellation of export licences that have been issued; please list all the regulations that have been published on this subject.

In accordance with decision No. 27 of 10 January 1998 by the Council of Ministers on enhancing State monitoring of the transport of specific goods (work, services) across the customs border of the Republic of Belarus, the Ministry of Foreign Affairs has the right to cancel licences issued or suspend their validity on the basis of a decision by the Interdepartmental Committee on Military and Technical Cooperation and Export Monitoring. A violation of the laws in force in the area of export monitoring is the basis for taking such a decision.

Judicial and administrative sanctions with regard to exporters who violate the national monitoring regime

Under the Penal Code of the Republic of Belarus, which came into force on 1 January 2001, articles 228 and 229 have the following provisions:

Article 228. Smuggling

The transport in large quantities across the customs border of the Republic of Belarus of goods and valuables that are prohibited or restricted for such transport, except for those indicated in the second section of this article, that is carried out by avoidance of or concealment from customs monitoring, the fraudulent use of documents or means of identification, or such transport accompanied by non-declaration or a deliberately false declaration shall be punishable by a fine, restriction of freedom for a period of five years or imprisonment for the same period.

The transport across the customs border of the Republic of Belarus of narcotic drugs, psychotropic, powerful, toxic, poisonous, radioactive or explosive substances, arms, explosive devices, firearms and ammunition, nuclear, chemical, biological or other types of weapons of mass destruction, materials and equipment which may be used in the creation of weapons of mass destruction, that is carried out in avoidance of or in concealment from customs monitoring or with the fraudulent use of documents or means of identification or is accompanied by non-declaration or a deliberately false declaration shall be punishable by imprisonment for a period of three to seven years with or without confiscation of property.

Acts provided for under the first and second sections of this article that are committed by prior agreement by a group of persons or a person convicted previously of smuggling, or by an official using his official powers, or carried out with the use of force against a person conducting customs monitoring shall be punishable by imprisonment for a period of five to 10 years with or without confiscation of property. Acts provided for under the first, second or third sections of this article that are carried out by an organized group shall be punishable by imprisonment for a period of seven to 20 years with or without confiscation of property.

Article 229. Illegal export of objects subject to export monitoring

The illegal export of goods, technology, services and other objects subject to export monitoring which may be used in creating a weapon of mass destruction, means for its delivery, arms and military equipment shall be punishable by imprisonment for a period of seven years with or without confiscation of property.

Any circumstances in which an export licence is not required in order to export arms

The unlicensed export of goods (work, services) having a military purpose is permitted in cases involving:

- Acts to maintain peace on the basis of decisions taken by the corresponding State body;
- Their repair, exchange or reciprocal transfer in accordance with international agreements that have been concluded;
- The possession of a pass in due form, issued by the Ministry of Defence, during the holding of training exercises in the territory of other States;
- The reciprocal delivery of additional and spare parts, expenditure-related materials between the Republic of Belarus and other countries in the manner provided for under corresponding intergovernmental agreements (paragraph 10 of

the Regulation on the Procedure for Licensing the Export (Import) of Specific Goods (Work, Services), approved by decision No. 27 of 10 January 1998 by the Council of Ministers).

Temporary export licences (for example for demonstration or testing purposes), the period of time permitted for such exports and any special conditions attached to the issuance of licences, including procedures for monitoring their return

The temporary export of specific goods (work, services) beyond the borders of the Republic of Belarus for demonstration at exhibitions (fairs), repair, modernization, testing, link-up work and training shall be carried out with the authorization of the Ministry of Foreign Affairs and the agreement, if necessary, of the ministries and other State government bodies concerned.

Temporary export is permitted for a period of up to 12 months.

Economic entities must ensure compliance with the obligation to reimport the goods in question without changing their qualitative characteristics (paragraph 15 of the Regulations on the Procedure for Licensing the Export (Import) of Specific Goods (Work, Services), adopted by decision No. 27 of 10 January 1998 by the Council of Ministers).

Various types of licences (for example, individual, general, restricted, unrestricted, indefinite and so forth) and their purpose

In accordance with the decision of 10 January 1998 by the Council of Ministers of the Republic of Belarus on enhancing State monitoring of the transport of specific goods (work, services) across the customs border of the Republic of Belarus, there are two types of licences:

(a) A one-time licence for the export (import) of specific goods (work, services), which is issued for a period of up to 12 months for a single contract after its conclusion;

(b) A general licence to export (import) specific goods (work, services), which is issued in accordance with a decision by the Interdepartmental Committee on Military and Technical Cooperation and Export Monitoring for a period of up to 12 months for one or several contracts.

Information provided to exporters on the possible issuance of licences in certain cases, that is, on the probability of receiving authorization for a transaction that is being planned

The procedure for the drawing up and submission by exporters of applications to receive licences from the Ministry of Foreign Affairs was established through decision No. 27 of 10 January 1998 by the Council of Ministers on enhancing State monitoring of the transport of specific goods (work, services) across the customs border of the Republic of Belarus.

Number of export licences issued on average in a single year and the number of staff dealing with the issuance of such licences

The number of export licences issued by the Ministry of Foreign Affairs in a year is approximately 100.

The number of staff participating in the export licensing procedure (including departments that coordinate the licensing) is approximately 20 persons.

Any other information concerning the export of conventional arms and related technology, in particular supplementary legislation, reports to parliament, or special procedures for individual types of goods

None.

Are there plans to publish in the country all guidelines and regulations relating to the transfer of conventional arms?

All the principal documents have been published.

4. Techniques and procedures used in the Republic of Belarus to destroy small arms and light weapons

The procedure for destroying small arms and light weapons in the Republic of Belarus is a technological process consisting of the stripping of small arms and light weapons, the pressing of separate assemblies and subsequent remelting.

A technological process is being developed for stripping each type of small arm and light weapon. Stripping is carried out at special State enterprises. Small arms and light weapons in the fifth category are stripped at central bases and arsenals on the basis of a technological process for destroying such types of weapons. The barrels and breeches of stripped weapons are remelted in blast furnaces at enterprises of the Ministry of Industry of the Republic of Belarus under the supervision of special committees with the participation of representatives of military units.

Small arms and light weapons are transferred for stripping in accordance with documents based on strict accounting, which must include the factory serial numbers and year of manufacture of the weapons. All assemblies and parts are accounted for on the stripping certificate, which is signed and approved by the corresponding officials. In addition, representatives of the aforementioned organizations verify that the stripping is correctly carried out, monitor the safe keeping of the weapon assemblies and parts and supervise the state of record keeping and accounting with respect to them.

Equipment and instruments making it possible to carry out the detailed disassembly of types of small arms and light weapons are used in the stripping process.

Once the stripping is completed, the assemblies and component parts of small arms and light weapons are deformed by means of presses and then remelted in blast furnaces belonging to enterprises of the Republic of Belarus. The corresponding documents ensuring strict accountability are drawn up on the basis of the results of those measures.

Standard presses and blast furnaces are used in carrying out the pressing and remelting processes.

There are no special procedures for destroying leftover parts from small arms and light weapons, and there are no procedures for the public destruction of such weapons in the Republic of Belarus.

No assistance in destroying small arms and light weapons has been provided to the Republic of Belarus by other OSCE member States or third countries.

Botswana

[Original: English]
[3 April 2002]

1. Following the adoption of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons last July in New York, Botswana's implementation programme was set out as follows:

(a) To vigorously work with other Southern African Development Community (SADC) member States towards finalizing a SADC Protocol on the Control of Firearms, Ammunition and Other Related Materials;

(b) To ratify the SADC Protocol;

(c) To consider amending the national Arms and Ammunition Act where necessary.

2. In this connection, the SADC Protocol on Control of Firearms, Ammunition and Other Related Materials was finalized and signed by Heads of State and Government at a Summit in Blantyre on 14 August 2001. We are happy to report that Botswana ratified the Protocol on 21 September 2001.

3. To start the process of amending the national Arms and Ammunition Act for it to be in line with both the Programme of Action and the SADC Protocol, an Inter-Agency Working Group to consider policy coordination, information-sharing and analysis at the national level has been formed and is composed of representatives from the following government ministries/departments:

Botswana Police Force
Botswana Defence Force
Ministry of Foreign Affairs
Ministry of Presidential Affairs and Public Administration
Department of Customs and Excise
Department of Immigration
Department of Mines
Attorney-General's Chambers

4. This Committee will serve as the national focal point.

Bulgaria

[Original: English]
[4 June 2002]

I. Policy guidance

The Republic of Bulgaria is greatly concerned by any excessive accumulation, illicit proliferation, unaccounted circulation and criminal trafficking of small arms and light weapons as they all directly challenge stability and development in conflict-prone regions worldwide.

Acknowledging the urgent need for collective international efforts and decisive action, Bulgaria views the holding of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the adoption by consensus of the comprehensive final document as an important event in the overall global efforts to tackle the excessive accumulation and illicit proliferation of small arms and light weapons.

Bulgaria adheres to a responsible national policy and will further contribute to the efforts of the international community in preventing and combating the illicit trade in small arms and light weapons in all its aspects. Its practical contributions in this field define Bulgaria as a driving force of regional cooperation in south-eastern Europe and as a factor in the international efforts to limit the excessive and destabilizing accumulation of small arms and light weapons in regions of instability and conflict.

- In August 1998, Bulgaria aligned itself with the criteria and principles contained in the European Union (EU) Code of Conduct for Arms Exports and adheres to all EU guidelines, decisions and statements concerning arms transfers. In December 1998, Bulgaria adhered to the EU Joint Action on Small Arms and Light Weapons.
- Bulgaria strictly observes the terms of the Economic Community of West African States (ECOWAS) moratorium on small arms transfers.
- Bulgaria has also adhered to the OSCE Document on Small Arms and Light Weapons and has undertaken all the necessary measures for its implementation.
- In December 1999, under the auspices of the Stability Pact for South-Eastern Europe and with the support of the Government of the United States of America, Bulgaria initiated and hosted a regional Conference on Export Controls. The Conference adopted a Joint Declaration on Responsible Arms Transfers and a Statement on Harmonization of End-Use/End-User Certificates.
- During Bulgaria's co-chairmanship of Working Table III of the Stability Pact, in October 2000, Sofia hosted a seminar jointly organized by Bulgaria and Canada on small arms and light weapons collection and destruction. The participants visited the Terem industrial destruction facility in Veliko Tarnovo and attended a practical demonstration of techniques and methods used in the destruction of several types of small arms and light weapons. The national capacity of Bulgaria in the field of the destruction of surplus weapons was evaluated positively.
- In March, 2002 Sofia hosted an international seminar on issues of small arms and light weapons, entitled "Controlling Small Arms Proliferation: The View From Bulgaria", organized by Saferworld (London) and the Bulgarian Red Cross in close collaboration with the Bulgarian Ministry of Foreign Affairs and the Atlantic Club of Bulgaria.
- In April 2002, Bulgaria hosted the Third Experts Meeting of EU Member States and Associated Countries on Conventional Arms Export Policies and Controls.

II. Institutional infrastructure relevant to the implementation of the Programme of Action

In accordance with paragraph 5 of the Programme of Action, Bulgaria has designated as a **national point of contact**, the Directorate for NATO and International Security at the Ministry of Foreign Affairs.

On 7 March 2002, the Council of Ministers adopted **a Decision for the approval of the United Nations Programme of Action**. It tasks the different governmental institutions with the implementation of the principles, norms and the requirements contained in

the Programme of Action. All institutions concerned have designated an authorized point of contact, thus creating an effective mechanism for its implementation. The network created involves experts competent in different aspects of the problem: export control, customs control, stockpile management and destruction of surplus, control over the manufacture and record keeping, etc. The above-mentioned decision formalized the already existing practice of regular meetings of an interdepartmental expert group initiated in January 2001. Thus in the spirit of paragraph 4 of the Programme of Action, a flexible national coordination mechanism was established.

The administrative bodies which make up the Bulgarian institutional infrastructure on small arms and light weapons issues are:

- Interdepartmental Council on Issues of the Defence Industry and the Country's Mobilization Readiness at the Council of Ministers;
- Commission for Control and Permission of Foreign Trade Deals in Arms and Dual Use Goods and Technologies at the Ministry of the Economy (http://www.mi.government.bg);
- Ministry of the Interior (http://www.mvr.bg/mvr-eng/real.htm);
- Customs Agency at the Ministry of Finance (http://www.customs.bg/english/index_eng.html);
- Ministry of Defence (http://www.md.government.bg/_en_/title.html);
- Ministry of Foreign Affairs (http://www.mfa.government.bg/);
- Ministry of Justice (http://www.mjeli.government.bg/).

III. Basic legal framework

- Penal code of the Republic of Bulgaria;*
- Law on Control of Foreign Trade Activity in Arms and Dual Use Goods and Technologies (State Gazette (SG) No. 102/1995) and the Regulation on its implementation (SG No. 21/1996 as amended in SG Nos. 35/1996, 45/1997, 114/1999, 4/2001);
- Law on the Control of Explosive Substances, Firearms and Ammunition (SG No. 133/1998 as amended in SG 85/2000) and the Regulation on its implementation (SG 78/03.09.99; as amended in SG 58/2001, 1/2002);
- Decree No. 91 of 9 April 2001 on the approval of a list of countries and organizations with regard to which the Republic of Bulgaria, in accordance with resolutions of the United Nations Security Council and with decisions of the European Union and the Organization for Security and Cooperation in Europe, applies prohibitions or restrictions on the sale and supply of arms and related materiel (SG No. 37/2001);
- A number of procedural regulations and internal standards issued by the competent authorities.

IV. Control over the manufacture, marking and record keeping

National control over the manufacture of small arms and light weapons is regulated by the Law on the Control of Explosive Substances, Firearms and Ammunition and the Regulation for its implementation (Firearms Law). The authorization for the manufacture of small arms and light weapons in Bulgaria is carried out through the issuing of a licence by the Ministry of the Interior on the basis of the provisions and the requirements specified in these acts. The Firearms Law (arts. 24-31) provides for administrative and administrative/penal measures against violators.

In accordance with the adopted standards, the small arms and light weapons manufactured in Bulgaria are marked at the point of manufacture with a unique, user-friendly, alphanumeric identifier. The marking of the weapon provides information allowing identification of the manufacturer, the year of manufacture and the serial number. The size, the font and the location of the markings are specified in the technical production documentation of the items.

The Firearms Law obligates the small arms and light weapons manufacturers to keep registers which contain information about the registration number of the import permit (if any), type, model, calibre and serial number of all the weapons produced.

The governmental authority which issues on case-by-case basis the permits for foreign trade deals in small arms and light weapons is the Commission for Control and Permission of Foreign Trade Deals in

Arms and Dual Use Goods and Technologies. This body maintains and manages information regarding any such activity, consisting of the original permits and the relevant registries and related documentation for each and every transaction.

Separate special registers of foreign trade activity in small arms and light weapons are also maintained by the Ministry of Defence, which is in possession of the bulk share of stockpiled small arms and light weapons, as well as by the Customs Agency and the Ministry of the Interior.

V. National export control legislation and mechanism

The current Bulgarian system for the control of foreign trade activities in arms and dual-use goods and technologies is designed to meet the most advanced European and international standards. Relevant legislation and other normative arrangements were developed in 1995 and 1996 in line with the requirements for the accession of Bulgaria to the Wassenaar Arrangement.

A. Institutional mechanism

In accordance with the current Law on Control of Foreign Trade Activity in Arms and Dual Use Goods and Technologies of 1995 and the Regulation of 1996 on its implementation, Bulgaria's export control regime includes a two-tier licensing and control mechanism consisting of two governmental inter-agency bodies. An Interministerial Council grants the right to perform foreign trade activity in arms and dual-use goods and technologies. The Council is chaired by the Deputy Prime Minister and Minister of the Economy and its standing members are Deputy Ministers of the Economy, of Foreign Affairs, of Defence, of Finance, of the Interior, of Transport and Communications, of Regional Development and Public Works, the head of the National Intelligence Service and the Deputy Chief of the General Staff of the Bulgarian Army. The Secretary of the Council is designated by the Prime Minister and is responsible for monitoring the implementation of the decisions of the Council. The requests by licensed companies for permits to export, import, re-export, transit or change the end-user in the territory of the country are considered on case-by-case basis by the Commission for Control and Permission of Foreign Trade Deals in Arms and Dual Use Goods and Technologies. The Commission is chaired by the Deputy Prime Minister and Minister of the Economy and its members are representatives of the Ministries of the Economy, of Foreign Affairs, of the Interior and of Defence. Its work is administered by two secretaries from the Directorate for Internationally Controlled Trade of the Ministry of the Economy.

B. Features of the export control system

- General or partial licensing of companies which meet the criteria for foreign trade in arms and/or dual-use goods and technologies for a period of up to 12 months;
- Consideration on a case-by-case basis and issuing, where appropriate, of a permit for each individual transaction;
- Post-shipment verification.

Applications are considered and decisions for the issuance of licences and permits for arms transactions are taken by the Bulgarian Government on a case-by-case basis and in strict compliance with restrictions imposed by Security Council resolutions, by decisions of the European Union, OSCE, the Wassenaar Arrangement and other multilateral and regional instruments for non-proliferation. The control lists applied by Bulgaria effectively implement the Wassenaar Arrangement munitions list in the field of arms trade and the unified and annually updated EU list for dual-use goods and technologies. Furthermore, the current Bulgarian legislation includes a "catch-all" clause, which provides for control over non-listed goods and technologies.

Guided by the view that every export control system needs to be regularly updated and fine-tuned to remain in line with the most developed standards, Bulgaria has undertaken practical steps to complement and improve the existing legal framework. In the beginning of 2002, the Government submitted to Parliament draft law amending and complementing the existing export control legal framework. As the procedure of first reading in Parliament is already completed, it is expected that the draft law will be adopted shortly. The regulation on its implementation will enter into force soon thereafter. The intended amendments to the current legislation aim at the further

strengthening of State control over the foreign trade in arms and dual-use goods and at improving the implementation of Bulgaria's international obligations and commitments in this field. Basically, the legislative changes proposed by the Government consist in the following:

- Measures to improve the efficiency and expediency of enactment on the national level of principles, criteria and restrictions flowing from Security Council resolutions, relevant instruments of the European Union, guidelines of the Wassenaar Arrangement and of other international control and non-proliferation regimes. Newly introduced international arms embargoes are to be promptly enacted in each case by a government regulation;
- Compulsory lists of States that are placed under United Nations or EU embargoes and other international restrictions will be introduced as part of the implementing regulation of the amended Law on Trade with Arms and Dual Use Goods and Technologies. These lists will be subject to approval by the Council of Ministers and will be updated at regular intervals. Dealers and companies obtaining a general licence for trade in arms and dual-use goods and technologies will be obliged to comply with such lists;
- Precise definition of the prerogatives of State authorities executing control over transactions as well as of obligations and responsibilities of companies and dealers;
- Inclusion of additional provisions, requiring presentation of all relevant documents certifying the legitimate end-use/end-user and mandatory post-shipment verification;
- Enhanced sanctions against possible violators, including amendments to the Penal Code;
- Improved control over brokering activities. It is proposed that any such activities carried out in and from the territory of Bulgaria should be treated as trade activities falling under relevant legislative provisions. This would also imply the introduction of a licensing regime for brokering activities and the establishment of a register of companies and persons performing brokering activities in arms and dual-use goods and technologies.

C. Compliance with arms embargo regimes

Bulgaria is committed to further improving the effective implementation at the national level of the international sanctions and embargo regimes through, in particular, prompt incorporation into Bulgaria's national legislation of Security Council resolutions adopted under Chapter VII of the Charter of the United Nations and other legally binding international decisions. To that end the Government has approved the inclusion into the Law on the Participation of Bulgaria in International Treaties of a provision (art. 29) stipulating that international obligations arising for Bulgaria under binding decisions and resolutions of international organizations shall have in the domestic legal system the force of treaty obligations under international treaties to which Bulgaria is a party. In addition, the Government undertakes to translate the binding provisions of Security Council resolutions into national legislation by means of adopting relevant government regulations enforcing such provisions with respect to companies and persons under Bulgarian jurisdiction. Over the past year, the Council of Ministers has adopted a set of regulations regarding the implementation of United Nations sanctions concerning, respectively, Angola (UNITA), Ethiopia and Eritrea, Sierra Leone, Afghanistan, etc. Appropriate criminal and civil penalties were introduced for violations of Security Council mandatory arms embargoes.

Decree No. 91 of the Council of Ministers has established a consolidated list of countries and organizations towards which the Republic of Bulgaria applies prohibitions or restrictions (depending on each case) on the sale and supply of arms and related equipment in accordance with Security Council resolutions and decisions of EU and OSCE. The adoption of this normative act, which reproduces the corresponding list prepared by the secretariat of EU, consolidates the practice of the systematic application of international sanctions and the criteria of the EU Code of Conduct.

VI. Destruction of surplus small arms and light weapons

In accordance with Bulgaria's international commitments and the adopted Programme for Restructuring the Bulgarian Armed Forces, the Ministry of Defense has already started implementing projects for the destruction of surplus small arms and light weapons. In accordance with a decision of the Interdepartmental Council at the Council of Ministers, an inter-agency group for coordination on the issues of small arms and light weapons destruction has been established. The Ministry of Defense has prepared lists of surplus small arms and light weapons and has identified the agencies that will destroy them. Technologies and schedules for destruction have been developed.

In accordance with a decision of the Council of Ministers (Decision No. 842/20.12.2001), a programme for the utilization and the destruction of surplus ammunition is in the process of development.

Under a Stability Pact (Working Table III) affiliated Project in Bulgaria, the United States subsidized the destruction of 75,000 small arms and 612 light weapons and 570 tons of ammunition, completed by January 2002. The project for the destruction of surplus small arms and light weapons in cooperation with the United States will continue throughout the next years.

The Terem company and in particular its branch located in Veliko Tarnovo has been designated by the Ministry of Defense as the basic contractor for the destruction of small arms and light weapons in Bulgaria. Terem was tasked by the Ministry of Defense to develop a technology for small arms and light weapons destruction. The principles guiding the development of the technology were that:

- The technology must reliably destroy the weapon so it becomes totally unusable;
- Strict accountability must be maintained throughout the process.

Bulgaria submitted to the United Nations Secretariat, in accordance with paragraph 3 of General Assembly resolution 55/33 Q of 20 November 2000, entitled "Illicit traffic in small arms and light weapons", detailed information on the methods and techniques for the destruction of small arms and light weapons applied in Bulgaria.

VII. Stockpile management and security of the stocks held by armed forces and police

Bulgaria has implemented a system of stockpile management and security of small arms and light weapons which has been in operational use for more than 40 years and has proved to be reliable. Nevertheless, the system is being constantly developed and elaborated, especially in the areas of safe storage, inventory control and security. Many national documents have been issued to specify the relevant principles and procedures in the process of small arms and light weapons management and security. The Republic of Bulgaria is committed to promoting and ensuring the security of small arms and light weapons stocks by means of:

- Constantly reviewing current practices;
- Establishing effective management and accountability systems;
- Ensuring adequate and detailed standards and procedures, good record keeping and regular stocktaking;
- Ensuring that any losses are properly reported and investigated and the weaknesses rectified;
- Regularly reviewing holdings to ensure the timely identification and disposal of surpluses;
- Developing small arms and light weapons destruction technologies and capacities;
- Always being open to discussion, exchange of experience and ready to request assistance if needed.

There is a special document regarding the quantitative and the qualitative account in the armed forces. The quantitative account is kept in special books at the first and the second level. The serial number and the category are entered as well. Whenever there is an incoming or outgoing item, the change is registered in the books, based on the filling in and signing of special form. The more detailed qualitative account is kept in the individual technical documentation (form, passport) of the given item. The

second level (military unit level) controls the transfer of items between the sub-units and keeps records of the overall quantities within the unit (both in the sub-units and in the unit's storage facility). The third level (Army level) controls the transfer of items between separate military units and keeps records of the overall quantities within the armed forces (both in the units and in the central storage facilities). Any surpluses are placed in a special central storage facility, located next to the plant holding the technology to destroy small arms and light weapons. All confiscated or collected small arms acquired without authorization, as well as inadequately marked weapons are usually destroyed as soon as possible (subject to any legal procedures associated with the criminal prosecution). There are no temporary stockpiles. Some quantities of small arms and light weapons remain with the operational units in accordance with operational needs. Most, however, are stored in the central storage facilities.

VIII. Role of the customs authorities in combating the illicit trade in small arms and light weapons

The customs authorities are an integral part of the national small arms and light weapons control system. They strictly check all the necessary documentation required for the export of small arms and light weapons and periodically request information on the import, export, re-export and transport permits issued as well as the licences issued to companies entitled to perform this activity.

The customs authorities are periodically informed by the Ministry of Foreign Affairs about changes and updates of the list of the States and organizations on which an arms embargo has been imposed by the Security Council, OSCE or EU. A permanent database of information based on customs declarations for each executed foreign-trade deal involving military equipment is maintained at the Central Customs Directorate.

International and regional cooperation between the police force, the intelligence service and the customs authorities aimed at combating the smuggling of small arms and light weapons is based on multilateral and bilateral contracts and agreements. Cooperation between the customs authorities is effected on the basis of:

- Protocol No. 6 on Mutual Assistance in Customs Activity, in accordance with article 93 (3) of the European Agreement establishing association between the European Commission and the Member States, of the one part, and the Republic of Bulgaria, of the other part (SG No. 33/1993, in effect since 1 February 1995);
- Bilateral agreements between the Government of the Republic of Bulgaria and the Governments of Austria, Turkey, Greece, Romania, the Russian Federation, Ukraine, Macedonia, Mongolia and the Federal Republic of Yugoslavia on matters of international cooperation and mutual assistance in customs activities.
- A Memorandum of Understanding with the United Kingdom of Great Britain and Northern Ireland.

The Customs Agency periodically receives information on stolen firearms by the Interpol National Bureau in order to effectively perform its duties in the discovery of attempts at illicit arms trafficking.

IX. Commitment to the follow-up process and contribution to global measures aimed at combating the illicit trade in small arms and light weapons

Bulgaria is committed to continue to play an active role on the issues of small arms and light weapons in the follow-up process of the United Nations Conference:

- A Bulgarian representative participates in the Group of Governmental Experts which is to examine the feasibility of developing an international instrument to enable States to identify and trace lines of supplies of illicit small arms and light weapons;
- Bulgaria participates in the pilot group of 10 States, proposed by France and Switzerland, to launch a diplomatic initiative in the field of marking and tracing;
- Bulgaria participated as an observer country in the Africa Conference on the implementation of the United Nations Programme of Action on

Small Arms: Needs and Partnership, that took place recently in Pretoria (18-21 March 2002);

- On 15 February 2002, Bulgaria signed the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime. The Protocol is now to be ratified by the National Assembly.

X. Exchange of information and transparency

Bulgaria already participates in the agreed mechanisms for the international information exchange and transparency on the issues of conventional weapons: United Nations Register of Conventional Arms, annual information exchange according to the OSCE Document on Small Arms and Light Weapons, relevant resolutions of the United Nations General Assembly, etc.

Notes

[a] Promulgated in State Gazette No. 26/02.04.1968 Amended SG Nos. 29/1968; 92/1969; 26 and 27/1973; 89/1974; 95/1975; 3/1977; 53/1978; 89/1979; 28 and 31/1982; 44/1984; 41, 79 and 80/1985; 89 and 90/1986; 37, 91 and 99/1989; 10, 31 and 81/1990; 1, 86, 90 and 105/1991; 54/1992; 10/1993; Decision No. 19/1995 of the Constitutional Court; SG Nos. 50 & 102/1995; 107/1996; 62, 85 and 120 /1997; 83,85,132,133 and 153/1998; 7, 51 and 81/1999; 21, 51 and 98/2000; 41, 101/2001.

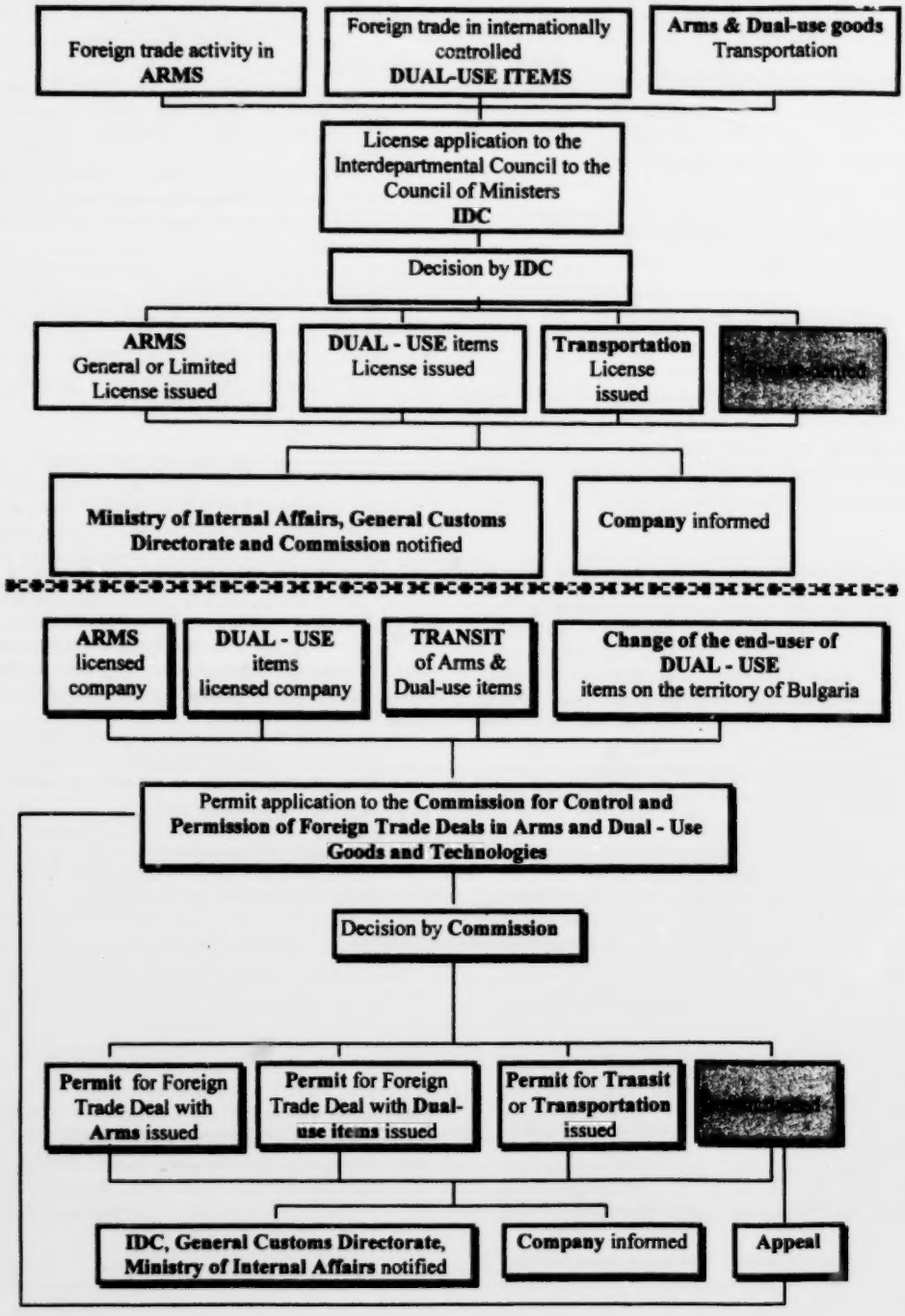
Article 337
(*As amended — SG Nos. 41/1985, 50/1995*)
(1) A person who manufactures, processes, repairs, trades in, transports, imports or exports explosives, firearms or ammunition, without having the right to do so by law, or without licence from the respective government body, or does so not in compliance with the licence given to him, shall be punished by deprivation of liberty for up to six years.
(2) The punishment shall be deprivation of liberty from two to eight years where the act has been committed:
1. by an official who has availed himself of his official position;
2. for a second time, in cases other than minor.
(3) Where the object of the crime has been of large amount, the punishment shall be deprivation of liberty from three to ten years.
(4) Where the object of the crime has been of particularly large amount and the case has been particularly grave, the punishment shall be deprivation of liberty for five to fifteen years.

Article 338
(1) (*As amended — SG No. 10/1993*) A person who, while keeping, transporting, sending or working with explosives, firearms or ammunition, fails to take the necessary safety measures and in particular the measures provided by the respective rules and regulations, orders or instructions, shall be punished by deprivation of liberty for up to two years or by a fine of up to ten thousand Bulgarian Leva.
(2) *If from the above an explosion has followed, and medium or severe bodily injury or death have been caused to one or more persons, or considerable property damages, the punishment shall be deprivation of liberty for two to eight years, and in particularly grave cases, the punishment shall be deprivation of liberty for five to fifteen years.*

Article 339
(*As amended — SG Nos. 28/1982, 41/1985, 50/1995*)
(1) A person who by any means whatsoever acquires, holds or gives to another explosives, firearms or ammunition, without due permit therefor, shall be punished by deprivation of liberty for up to six years.
(2) Where the explosives, firearms or ammunition referred have been in large quantities, the punishment shall be deprivation of liberty from three to eight years.
(3) A person who appropriates or gives explosives or firearms to a person who has no permit for their acquisition, shall be punished by deprivation of liberty for up to six years.
(4) The punishment under the preceding paragraph shall also be imposed on persons who sell or give to other ammunition, where the latter do not have permit to carry the respective weapon.
(5) (*New — SG No. 62/1997*) *The punishment under paragraph (1) shall also be imposed on a person who retains without permission explosives, firearms or ammunition that he may have found.*

Annex

Chart of the dual-use and arms licensing system in the Republic of Bulgaria


Foreign trade activity in ARMS
Foreign trade in internationally controlled DUAL-USE ITEMS
Arms & Dual-use goods Transportation
License application to the Interdepartmental Council to the Council of Ministers IDC
Decision by IDC
ARMS General or Limited License issued
DUAL - USE items License issued
Transportation License issued
Ministry of Internal Affairs, General Customs Directorate and Commission notified
Company informed
ARMS licensed company
DUAL - USE items licensed company
TRANSIT of Arms & Dual-use items
Change of the end-user of DUAL - USE items on the territory of Bulgaria
Permit application to the Commission for Control and Permission of Foreign Trade Deals in Arms and Dual - Use Goods and Technologies
Decision by Commission
Permit for Foreign Trade Deal with Arms issued
Permit for Foreign Trade Deal with Dual-use items issued
Permit for Transit or Transportation issued
IDC, General Customs Directorate, Ministry of Internal Affairs notified
Company informed
Appeal

Burkina Faso

[Original: French]
[24 May 2002]

Burkina Faso participated actively in the Bamako Conference (30 November-1 December 2000), which adapted the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons. Subsequently, following the establishment of the National Commission to Prevent the Proliferation of Light Weapons, the Permanent Secretary has taken the following steps:

- Establishment of the organizational structure;
- Formulation of an action plan.

Costa Rica

[Original: Spanish]
[28 May 2002]

Executive summary by the organizers of the Conference on Small Arms and Light Weapons in Central America: Control and Regulation of Weapons Transfers in Implementation of the United Nations Programme of Action, San José, 3-5 December 2001

1. The Conference on Small Arms and Light Weapons in Central America: Control and Regulation of Weapons Transfers in Implementation of the United Nations Programme of Action was held in San José from 3 to 5 December 2001. The meeting was sponsored by the Ministry of Foreign Affairs and Worship of Costa Rica and co-sponsored by the Governments of Finland and Canada, with the cooperation of the Arias Foundation for Peace and Human Progress. It was co-chaired by Elayne Whyte, Vice-Minister for Foreign Affairs of Costa Rica; Inger Hirvela-López, Ambassador of Finland; Denis Chouinard, Director and Chief of Investigations, Non-proliferation, Arms Control and Disarmament Division, Department of Foreign Affairs and International Trade of the Government of Canada; and Lara Blanco, Executive Director of the Arias Foundation for Peace and Human Progress.

2. The meeting was attended by representatives from Belgium, Canada, Colombia, Costa Rica, Germany, Guatemala, El Salvador, Finland, France, the Holy See, Honduras, Italy, Nicaragua, Norway, Panama, Spain, Switzerland, the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Central American Integration System (SICA). Representatives of the following governmental bodies also participated: customs agencies, regional secretariat of the Association of Police Chiefs of Central America, National Police Academy and the tax administrations of Central America. The following non-governmental organizations were also represented: Arias Foundation for Peace and Human Progress, Peace and Justice Service of Panama (SERPAJ), Latin American Centre for Competitiveness and Sustainable Development (CLADS), Centre for Human Rights Research and Promotion (CIPRODEH), Amnesty International, University Institute for Public Opinion (IUDOP), Teaching Institute for Sustainable Development (IEPADES), International Committee of the Red Cross, Fundación para la Aplicación de Estudios del Derecho, Swedish Fellowship for Reconciliation (SWEFOR), Central American tax administrations, International Development Research Centre (IDRC) and United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD).

3. The Minister for Foreign Affairs of Costa Rica, Roberto Rojas, opened the Conference. He said that the Conference was an important opportunity to promote respect for human life through peace, disarmament, development, education and the actions of civil society. Attempts to reduce the number of weapons in circulation should be accompanied by social development projects. Such programmes should be included in all peace agreements in order to enhance confidence and mutual respect between Governments and civil society. Ms. Hirvela-López also participated in the opening of the meeting, stressing the need to control, collect and destroy small arms and light weapons as a precondition for the development of the developing countries. The Ambassador of Canada to Costa Rica, Louise Léger, said that Canada was promoting and advocating a comprehensive study of the problems relating to small arms and light weapons, and she pointed to the need to deal with both the lawful and the unlawful aspects of arms transfers. Ms. Blanco said that the topic of arms proliferation should include the establishment of tighter regulations for arms transfers. She also drew attention to the role that civil society could play in helping to strengthen regional

involvement in the topic. She referred to State responsibility with respect to the control and use of small arms and light weapons and the need to improve Central American legislation in the field.

4. The first panel, entitled "Small arms and light weapons in Central America: a synopsis", was moderated by Elayne Whyte, who was accompanied by the following panellists: the Permanent Representative of Colombia to the United Nations, Camilo Reyes, President of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; Tomás Arita, Vice-Minister for Foreign Affairs of Honduras and President pro tempore of the Central American Commission on Security; Raúl Carvajal, Adviser, Armaments Department, Ministry of Public Security of Costa Rica; and Ana Yancy Espinoza, Programme Officer, Programme on Disarmament, Demilitarization and Human Security of the Arias Foundation.

5. Ambassador Reyes introduced the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which had been adopted by the 2001 United Nations Conference, and said that States could help solve the problem of the international proliferation of weapons by implementing national laws and regional agreements. However, the process would also require cooperation and coordination among States. He underlined the importance of setting up national commissions and allowing civil society to play a role. The gender aspect should also be addressed, owing to the significance of women in that context, bearing in mind that women and children represented 80 per cent of all victims of firearms. Mr. Arita emphasized the role of civil society. Mr. Carvajal stressed the need to harmonize firearms legislation. Better coordination at the national level to avoid needless duplication of effort was also required. Ms. Yancy Espinoza made reference to the conclusion of a regional comparative statute based on the existing Central American political constitutions, laws, regulations and statutes on weapons control. She drew attention to the aspects of Central American law that should be harmonized, such as the definition of small arms, light weapons and calibres and the determination of mechanisms and procedures.

6. The second panel was entitled "Control and regulation of the acquisition and use of light weapons: prospects for regional cooperation" and was moderated by Mr. Chouinard. The panel included: Juan Carlos Barahona, Central American Institute of Business Administration (INCAE); Augusto Cotto Castañeda, regional secretary of the Association of Police Chiefs of Central America; and Carlos Walker, Programme Officer, Programme on Disarmament, Demilitarization and Human Security of the Arias Foundation.

7. Mr. Barahona noted the need to implement a new customs model to enhance the capacity and efficiency of customs procedures. The new model would make better use of law-enforcement resources. A system should be set up to make it easier to identify illicit goods. Mr. Cotto called for greater cooperation among existing police agencies and the development of more advanced technology for sharing information. Mr. Walker concluded the panel by stressing the importance of humanitarian laws in the context of the Framework Convention on International Arms Transfers. He noted that the Framework Convention should help States to understand the concept of human security, and he reviewed the definition of illicit arms transfers. Within the context of the panel discussion, many participants drew attention to the proliferation of private security firms.

8. The third panel, entitled "Focus of cooperation in combating arms proliferation", was moderated by Noemí Baruch, Director of International Cooperation, Ministry of Foreign Affairs of Costa Rica. The panellists were: Ms. Hirvela-López; David Pimm, political analyst, Canadian Firearms Centre, Department of Justice of Canada; and Clive Law, Export Controls Division, Department of Foreign Affairs and International Trade of Canada.

9. Ms. Hirvela-López drew attention to the need to tighten government control and monitoring of small arms and light weapons to enhance development and human security in Central America. That goal could be achieved through education, training and awareness-raising campaigns. Mr. Pimm said that women should be more actively involved in the discussion of arms control, in view of their vulnerability to threats from small arms and light weapons. Success in controlling arms proliferation could be measured on a case-by-case basis through the gradual reduction of violent incidents. Mr. Law concluded the meeting by affirming that import and export controls depended on each country's national legislation, hence the need to make new laws or improve existing ones to enforce such control. Governments could become involved at the

international level only if they were prepared to deal with the cultural backdrop of arms possession at the local level.

10. The fourth panel, entitled "Initiatives for prevention, education and awareness-raising with respect to small arms and light weapons", was moderated by Ms. Blanco. The following panellists participated: Jaime Martínez, Fundación de Estudios para la Aplicación del Derecho (FESPAD); Roberto Cajina, independent consultant; Captain Claude Vadeboncoeur, Kingston Peace Support Training Centre, Department of National Defence of Canada; and Ambassador Reyes.

11. Mr. Martínez said that a publicity campaign should be designed to counteract existing cultural norms relating to the possession and bearing of arms, a key point of that strategy being to work closely with the communications media. Mr. Cajina stressed the need for the Central American countries to set up a regional network to enable Governments and civil society to work together to overcome the shortage of resources available for arms control. Captain Vadeboncoeur discussed concrete methods for collecting and destroying weapons. He also noted that such destruction operations were neither difficult nor costly. Ambassador Reyes closed the final panel by commenting on the experience of the Tanzanian national action plan to combat the proliferation of small arms and light weapons, drafted jointly by the Government of the United Republic of Tanzania and SaferAfrica, an African non-governmental organization. The plan demonstrated the productive relationship that could be developed between government and civil society.

12. The participants then separated into five working groups to discuss recommendations for a regional action plan. The groups were entitled: "Police procedures: creation of complete registries, procedures for weapons sales, carrying and possession, and licensing systems"; "Legislative and judicial procedures: regulation, characterization of offences and classification and establishment of penalties"; "Administrative and customs procedures: control of trade, harmonization and strengthening of customs procedures, comparison of licences and model regulations"; "Regional cooperation forums: Commission on Security of the Central American Integration System (SICA), regulation and control bodies (Organization of American States, SICA and the Permanent Central American Commission)"; and "Preventive measures: awareness-raising, and collection and destruction of small arms and light weapons". The results of the working groups may be found in the recommendations for a regional action plan.

13. The Conference expressed its thanks for the hospitality and arrangements provided by the Government of the host country, Costa Rica, to all the participants.

14. The Conference also thanked the Governments of Finland and Canada for their sponsorship of the event.

15. In addition, the Conference thanked the Arias Foundation for Peace and Human Progress for its help in organizing the event.

16. The participants considered the executive summary prepared by the organizers, together with the recommendations for a regional action plan, drawing attention to the topics that would require special attention.

17. The participants adopted the Executive Summary and the Recommendations for a Regional Plan of Action.

18. The Conference was concluded on 5 December 2001.

Ethiopia

[Original: English]
[29 April 2002]

1. The Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia presents its compliments to the United Nations Department for Disarmament Affairs and has the honour to refer to the letters dated 19 February 2002 containing a request for information on the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

2. In that regard, the Ministry would like to inform your office that Ethiopia participated in the preparatory meetings and in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and has been making the necessary preparation in line with the implementation of the Programme of Action. As a first step the Government

of Ethiopia designated the Federal Police Commission as the National Coordinating Authority and focal point, for the implementation of the Programme of Action as well as for the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons adopted in the Great Lakes Region and the Horn of Africa.

3. Ethiopia, located in a subregion where there are serious problems of proliferation and trafficking of illicit small arms, has been strongly supportive of regional and global efforts. In this regard, the establishment of a National Coordinating Authority is a step forward to properly and effectively monitor and coordinate the activities of different government organs. Furthermore, it will act as a liaison for cooperation at the regional and global levels.

4. The Commission is in the process of establishing itself. However, the implementation of the Programme of Action will require a wide range of expertise and financial assistance. Therefore it is obvious that assistance in capacity-building, as indicated in the Programme of Action, is of particular significance to countries like Ethiopia.

France

[Original: French]
[14 June 2002]

I. Measures taken or envisaged at the national level

A. In the area of legislation

1. The goal of reforming the domestic legislation governing the activities of brokers and intermediaries is being realized.

Regarding domestic legislation, the main measure being taken is the reform of the regulations applicable to brokers and other intermediaries participating in commercial transactions involving arms and warfare equipment.

Following the entry into force of the decree on regulations for the granting of authorization to engage in brokerage activities, implementing documents were drafted to enable the effective application of the new regulations.

The draft law on regulations for the granting of authorization (or licences) to engage in brokerage activities has been submitted to Parliament and should be debated in the second half of 2002.

Two types of licences are provided for: a general licence, which can cover several transactions meeting specific conditions, and an individual licence, which allows for the realization of only one transaction by an intermediary or broker.

The text encompasses not only small arms and light weapons but also all the arms and warfare equipment classified in the national regulations.

B. A continuous effort towards transparency, aimed at a broad public, through the publication of two documents in 2001

1. Report of the Ministry of Defence to Parliament on French exports (published in February 2002)

This document sets out the legal provisions developed by France with a view to the strict control of its arms exports and, more generally, its policy with regard to exports, in compliance with the European and international obligations to which it has subscribed (joint initiatives, code of conduct, Wassenaar Arrangement, etc.). The report also specifies the consultation mechanisms, the guarantees with regard to transparency and the modalities for the application of the embargoes ordered by the United Nations or the European Union.

The report to Parliament also assesses the activities of the French Administration in the area of export control. It provides a quantitative synthesis of and statistical data on export applications, advance approvals, rejections and authorizations for the export of warfare equipment. Lastly, it supplies precise information on French arms exports in 2002, including a separate heading for small arms and light weapons.

The document can be accessed on the Internet at www.défense.gouv.fr, by clicking on *Actualité*, then *Tous les dossiers en ligne*.

2. Brochure entitled "Small arms and light weapons: action by France: prevent-control-destroy" (published in 2001)

Published on the occasion of the United Nations Conference held in New York in July 2001, this brochure, which was produced in French and English and has been widely disseminated, is contributing to raising awareness among a broad French public involved in action in this area.

II. Measures to be taken at the international level

A. Significant financial contributions in regions particularly affected

The United Nations is undertaking activities to combat the traffic in small arms and light weapons with funding from the regular budget. Taking into account the assessed contributions of France in 2001, its share in this expenditure amounted to 31,200 euros.

France is providing support to the moratorium adopted by the heads of State and Government of the Economic Community of West African States (ECOWAS).

It has implemented two financial assistance measures providing for the disbursement of €457,347 to the Programme for Coordination and Assistance for Security and Development in Africa (PCASED) and €381,122, over five years, to the United Nations Regional Centre for Peace and Disarmament in Africa. It made a voluntary contribution of €77,000 to the regional centre in 2001. This contribution was allocated to the efforts to combat the traffic in small arms and light weapons.

France contributed €18,400 in 2001 to the programme for the destruction of small arms initiated by the United Nations Mission in Sierra Leone.

Through the actions of the United Nations agencies, France thus made financial contributions totalling €126,600 in 2001 to the efforts to combat the traffic in small arms and light weapons.

The action taken by France to combat illicit arms trafficking concentrates mainly on bilateral cooperation. Many initiatives carried out for the benefit of various African States aim to strengthen the operational capacities of the police and customs services in the context of the control of major transboundary trafficking, including illicit arms trafficking.

France funded in an amount of €32,014 the travel of representatives of French-speaking African non-governmental organizations involved in combating trafficking in small arms and light weapons to the United Nations Conference in New York in July 2001.

It funded in an amount of €3,198 the mission of a French expert in connection with subregional training in Abidjan in October 2001.

It funded the French edition of the *2001 Small Arms Survey* in an amount of €53,354.

B. France is actively participating in the various forums which are concerned, in particular, with small arms and light weapons.

1. At the United Nations

At the fifty-sixth session of the General Assembly, France co-sponsored the resolutions adopted on:

"Consolidation of peace through practical disarmament measures" (resolution 56/24 P);

"Assistance to States for curbing the illicit traffic in small arms and collecting them" (resolution 56/24 U);

"The illicit trade in small arms and light weapons in all its aspects" (resolution 56/24 V).

France is currently preparing to sign and ratify the Firearms Protocol to the United Nations Convention against Transnational Organized Crime.

France designated a representative of the Ministry of Defence to participate in the work of the Group of Experts established pursuant to General Assembly resolution 56/24 V of 24 December 2001.

France, in cooperation with Switzerland, submitted to the second session of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects a Franco-Swiss initiative on the traceability of small arms and light weapons. The initiative was the

subject of a workshop on 12 and 13 May 2001 in Geneva.

The initiative, which is being continued with a view to establishing a mechanism for the traceability of small arms and light weapons, is based on chapter II, paragraph 36, of the Programme of Action adopted at the Conference.

2. Within the European Union

France has always supported the projects drawn up in the context of common action to combat the destabilizing accumulation and diffusion of small arms and light weapons: projects in Cambodia, in South Ossetia, in Albania, in Mozambique, in Central America (United Nations centre in Lima), etc.

3. North Atlantic Treaty Organization

In the context of military operations, France participated actively in arms collections in the former Yugoslavia, in close collaboration with its allies; in Bosnia and Herzegovina in the context of the Stabilization Force (SFOR); in Macedonia, in Operation Essential Harvest which led to the recovery of 3,875 weapons and nearly 180,000 rounds of ammunition; and also in Kosovo, in the permanent weapons amnesty arrangement, which led to the recovery of 459 weapons and over 50,000 rounds of ammunition.

4. Organization for Security and Cooperation in Europe

France made contributions in 2001, in the context of the implementation of the OSCE Document on Small Arms and Light Weapons.

5. Wassenaar Arrangement

France continues to be receptive to provisions designed to strengthen transparency, particularly with regard to transfers. While awaiting decisions on transparency measures, France has proposed expanding other measures to allow better traceability and increased assurances on final destination and risks of diversion.

6. Others

French participation in seminars and conferences:

- February 2001: Third meeting of the United Nations Group of Experts on the manufacture, trade and brokerage of small arms and light weapons;
- March 2001: Workshop organized in Geneva by France and Switzerland on tracing, marking and record keeping of small arms and light weapons;
- Seminar on small arms and light weapons organized in France, at the Ecole Supérieure et d'application du matériel (ESAM), Bourges, for 15 foreign officers from countries members of the Partnership for Peace;
- April 2001: Seminar organized in Budapest by Hungary and Canada on international embargoes and sanctions in relation to small arms and light weapons;
- May 2001: Seminar organized in Geneva by the International Law Association on legal aspects and international regulation of the trade in small arms and light weapons;
- July 2001: United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York.

III. Miscellaneous

Contact point

The designated contact point is:

Francis.Guenon@diplomatie.gouv.fr
Tel: 00 33 1 43 17 40 70
Fax: 00 33 1 45 51 92 62

Hungary

[Original: English]
[9 May 2001]

1. The Republic of Hungary has enacted adequate legislation and has put in place appropriate administrative structures and procedures to exercise effective control over the production of small arms and light weapons. The production, marking, possession and destruction of and trade in this category of weapons is licensed and supervised in accordance with a number of regulations issued by the Minister of

Defence and the Minister of the Interior. These regulations provide, inter alia, for a strict marking system that enables the competent national authorities to identify and trace the relevant weapons at any time and in a reliable way. The regulations exclude the possibility of placing unmarked weapons on the market in a legal manner.

2. The Republic of Hungary maintains an effective system controlling all aspects of the foreign trade in small arms and light weapons. The structure and procedures of the Hungarian export control system are regulated by Government decree 48/1991 (III.27), Decree on the exportation, importation and re-exportation of military equipment and services.

3. The Hungarian licensing system is a three-tier licensing system of individual character (the "open general licence" is non-existent in the Hungarian export control system), with a very strict procedural sequence. Therefore the listed types of licences are non-interchangeable:

- First phase: registration of traders, licence for trading
- Second phase: application for licence for negotiation
- Third phase: application for licence for entering into contract

4. The mandated Bureau of Licensing and Registration of the Ministry of Economic Affairs issues the licences. However, the decision on each and every individual case and applicant is made by the Interministerial Military Operational Committee, made up of the representatives of all the ministries and organizations concerned and having national competence.

5. For added safety in the third and final phase of the issuance of the licence for entering into contract, a separate individual licence must be requested for each country of origin and each item of different customs tariff number. If the related foreign trade contract contains items of the same customs tariff number, but of various countries of origin, or items of one country of origin but quoting various products with different custom tariff numbers also, separate licences must be requested.

6. The relevant government decree does not specifically regulate transit shipments. However, as a general practice, the law enforcement officers' procedural conditions are harmonized with the individual national licensing procedure for foreign trade contracts by the issuance by the Bureau of non-objection or objection notes, thus maintaining interministerial consultations in sensitive cases.

7. The government decree does not explicitly use the phrase broker (or brokerage). At the same time, article 1, paragraph 2, stipulates that "activities by Hungarian natural and legal persons, furthermore agency, representation and re-export related activities outside the customs area of the Republic of Hungary aspired to by entities lacking legal incorporation, may be carried out only by those holding licence". Along with the above-described unique individual licensing procedures, this provides sufficient legal guarantees to exclude the illegal brokers.

8. The Republic of Hungary has actively contributed to regional efforts aimed at combating the illicit trade in small arms and light weapons. Hungary aligned itself with the European Union Code of Conduct on Arms Exports and has applied it since its adoption. The OSCE Document on Small Arms and Light Weapons has also been a cornerstone of Hungarian small arms and light weapons policies. Hungary participated in the 2001 information exchange and is currently preparing its responses for the current one.

9. Hungarian legislation fulfils most of the requirements of the Programme of Action. However, some amendments and modifications are necessary in order to fully implement the Programme of Action. A new government decree to this effect will be approved shortly.

Japan

[Original: English]
[6 February 2002]

Please refer to the letter dated 1 February 2002 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General (A/56/810-S/2002/145) [containing the Chairperson's summary of the Tokyo Follow-up Meeting of the United Nations Conference on the Illicit Trade in Small Arms and Light weapons in All Its Aspects].

Lithuania

[Original: English]
[7 May 2002]

1. International and regional commitments

1. Lithuania is a State party to the 1978 European Convention on the Control of the Acquisition and Possession of Firearms by Individuals.

2. Lithuania has committed itself and adheres to all initiatives of the European Union (EU) to address the issues of small arms and light weapons, inter alia, Code of Conduct on Arms Exports of 28 June 1998, EU Joint Action of 17 December 1998 on the EU contribution to combating the destabilizing accumulation and spread of small arms and light weapons and the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms of 26 June 1997.

3. Lithuania attaches utmost importance to the implementation of the Organization for Security and Cooperation in Europe (OSCE) Document on Small Arms and Light Weapons of 24 November 2000. Since 2001, it has provided to OSCE information on the national marking system, procedures for the control over manufacture, relevant national legislation and current practices on export policy, procedures and documentation, control over brokering, and techniques and procedures for the destruction of small arms.

2. National legislation to address small arms issues

4. National legislation of the Republic of Lithuania regulating the export, import, transit or re-transfer of small arms and light weapons falls within the framework of general legislation pertaining to the export, import and transit of conventional arms and related technology:

- Law on the Export, Import and Transit of Strategic Goods and Technologies, adopted on 5 July 1995. Taking into account the provisions regulating export control laid down in different international documents, namely the EU Code of Conduct on Arms Exports, the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, the OSCE Document on Small Arms and Light Weapons, as well as different provisions of international export control regimes (Australia Group, Nuclear Suppliers Group, Wassenaar Arrangement, Missile Technology Control Regime), the Republic of Lithuania has re-drafted a new version of the above-mentioned law which should come into force as from 1 July 2002;
- Law on the Control of Arms and Ammunitions, adopted on 2 July 1996;
- Law on Firearms, adopted by Parliament on 15 January 2002;
- A new law on manufacture of and trade in explosives will be ready for the first reading in Parliament by the end of 2002 at the earliest;
- A new law on manufacture of and trade in pyrotechnics is under development, to be submitted to the Government;
- The Ministry of Foreign Affairs is preparing a law on sanctions ensuring implementation of arms embargoes imposed by the United Nations Security Council, OSCE and EU.

5. A number of by-laws complement or reinforce the export control regime:

- Government Resolution of 6 June 1997 on implementation of the control of the import, export and transit of strategic goods and technologies;
- Government Resolution of 8 July 1997 on the procedure for the licensing and control of the export, import and transit of strategic goods and technologies;
- Parliamentary Resolution of 21 October 1997 on approval of the list of States to which the export of goods subject to control is forbidden;
- Government Resolution of 28 November 1997 on approval of the list of controlled goods and technologies;
- Government Resolution of 10 April 1998 on approval of regulations governing the circulation of arms and ammunition;
- Government Resolution of 19 May 1995 on the limitation of specific imports, exports and transit through the Republic of Lithuania.

3. National procedures applied to export control

6. Export control of conventional arms and related technologies falls within the competence of the Ministry of the Economy, the Ministry of the Interior, the Ministry of Defence and the Weaponry Fund, each within the framework of its competence.

7. An arms trader must have a special arms export licence. For every single shipment an export permit must be obtained and it is valid for six months. Along with the application for export permit, a contract signed with foreign customers, an end-user certificate issued by the destination country's agency responsible for national arms circulation control as well as the international import certificate have to be provided.

8. A permit may be refused when the implementation of international agreements or national economic and security interests may be threatened.

9. The Weaponry Fund of the Republic of Lithuania is authorized to take a decision over the issue of end-user certificates. The concept of the certificate itself as well as procedures for the issuance of the certificate and for refusal of issuance have been provided for in Government Resolution 436 of 10 April 1998 and are enforced by the Regulations on the Export, Import and Transit of Ammunition. Supervision over adherence to the requirements for the end-user certificate is delegated to the Police Department, under the Ministry of Interior.

10. The provisions regulating brokering activities are set forth in the Law on Firearms adopted on 15 January 2002.

4. National procedures applied to control over manufacture

11. Pursuant to article 23 of the Law on Arms and Ammunition Control of the Republic of Lithuania, the manufacture of arms within the territory of the Republic of Lithuania can only be authorized after receipt of a licence, issued as prescribed by the Government. On 18 September 1997, the Government of the Republic of Lithuania, in its resolution 1023, endorsed Regulations for Licensing of Manufacture of Arms, their Parts, Ammunition, Blasting Agents, Explosives or Pyrotechnic Materials. Each licence is valid for an indefinite period; it must be re-registered three years after the date of issuance.

12. Manufacturers must ensure record keeping for manufactured weapons (required by both the law and the Government's resolution). For this purpose, a journal of manufactured arms is kept and its data are reported quarterly to the institution supervising the manufacture of arms.

13. The Weaponry Fund of the Republic of Lithuania supervises adherence to the established requirements in respect of the activities concerned. Moreover, all manufactures are inspected before the licence is issued and before it is re-registered.

14. The licence may be revoked in the following cases: the licensee so requests in writing; the licence fails to be re-registered on the due date; the licensee fails to rectify a breach of regulations within the time required; the company terminates its activity as an independent economic entity; misrepresentations transpire in the submission of information to the competent institution responsible for the supervision of licensed activities; a licence in question has been suspended and the licensee has committed an offence in respect of the licensed activity for a second time during the same year; and in cases where the company owner has been prosecuted for deliberate crimes and has not been cleared of crimes or still holds a criminal record or is in prison, or is banned by court ruling from engaging in the licensed activities.

15. Penalties for the illegal manufacture of weapons and ammunition are laid down in article 234 of the Criminal Code and range between up to 5 years of detention for the illegal manufacture of weapons and 3 to 10 years of detention for the illegal manufacture of the same in great quantities.

5. Destruction

16. The legal acts currently in force in the Republic of Lithuania do not provide for a uniform methodology of arms destruction. The destruction of weapons is carried out according to the procedure established by a number of institutional by-laws and regulations:

- Resolution 436 of the Government on the Adoption of Regulations for the Circulation of Weapons and Ammunition;
- Regulations of the Weaponry Fund on the Seizure, Evaluation and Sale of Weapons and Ammunition;

- Ordinance No. 235 of 5 June 1985 of the Lithuanian Ministry of the Interior on the Adoption of Regulations for Sale of Technically Defective Weapons;
- Ordinance No. 23 of 1 December 1998 of the Weaponry Fund on Instructions on Destruction of Weapons and Ammunitions.

17. The amount of small arms, light weapons and ammunition destroyed in 2001 is as follows:

	Units destroyed
Amateur home-made guns	100
Rifles	691
Pistols, revolvers	204
Pneumatic gas weapons	80
Machine guns	7
Spare parts	164
Ammunition	42 967
Pyrotechnic articles	1 211
Gas balloons	25

6. Initiatives undertaken at the regional level

18. The international seminar entitled "Combating Illicit Arms Trafficking in the Baltic Sea Region", organized by Safeworld and the Lithuanian Centre for Human Rights and co-hosted by the Lithuanian Ministry of Foreign Affairs, was held at Vilnius on 14 and 15 March 2002. The seminar made a positive contribution to the debate on the effectiveness of safeguards against the diversion of arms during transit and trans-shipment and ways and means of improving cooperation and transparency to prevent and combat illicit arms trafficking.

Mexico

[Original: Spanish]
[9 May 2002]

I. Introduction

1. Mexico has accomplished a considerable amount in implementing the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. It should be noted that:

(a) On the one hand, Mexico is a party to the Organization of American States Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA);

(b) On the other, it has a Federal Act on Firearms and Explosives and Regulation thereof.

2. These two instruments are the basis for national actions concerning the marking, manufacture, registering and control of armaments. The entities bearing direct responsibility for this are the General Directorate for Manufacturing and the General Directorate for the Federal Registration of Firearms and Control of Explosives of the Ministry of Defence. Measures to prevent and eradicate the illicit trade in firearms are the responsibility of the Office of the Attorney General of the Republic.

II. Actions at the national level

A. Marketing, import and illicit possession

3. The Ministry of Defence maintains strict control over marketing. General permits are required of manufacturers in order that each weapon may be marked with a registration number, it being emphasized that there must be a separate number for each weapon; in the case of imported arms, the name and address of the importer must be clearly marked on the outside of each weapon.

4. The Federal Act on Firearms and Explosives specifies in articles 77 to 91 the prison sentences and fines imposed on anyone who owns arms outside their home and has not declared them or who owns prohibited arms and seeks to bring them into the country without the necessary authorization. Article 84 provides for a penalty of from 5 to 30 days in prison and a fine of from 20 to 500 days for anyone who smuggles into the country arms, munitions, explosives and materiel used solely by the armed forces or that is subject to control.

5. Similarly, through the General Directorate for the Federal Registration of Firearms and Control of Explosives of the Ministry of Defence and in

accordance with the Act on the subject, the following measures have been taken:

- Military personnel are involved in the import or export of firearms, explosives and related chemical substances; they act as inspectors and verify that the material that is being imported or exported corresponds to the quantities and characteristics specified in the permits issued by the Ministry of Defence.
- Military personnel inspect the vehicles during the transfer of the weapons and related materials; they verify that the materials being transported have been authorized. When the material reaches the facilities of the companies that have purchased it, military personnel are designated to come and oversee the introduction or extraction of the arms, munitions and explosive material or related chemical substances and to check the quantities and characteristics of the material authorized.
- With regard to seizures of significant quantities of armaments, the Ministry of Defence, in coordination with the Attorney General of the Republic, the Ministry of Public Safety, the Ministry of Finance and Public Credit and the Centre for Investigation and National Security, inspect the arms that are stored and in safe keeping in various military areas with a view to collecting the technical data on the arms seized so as to monitor them and determine responsibilities.
- The General Directorate for the Federal Registration of Firearms and Control of Explosives is the unit legally empowered to provide information within the context of inter-agency collaboration. It has mechanisms for collecting information relating to seizures of weapons, munitions and explosives by military personnel in connection with various offences for use in future seizures.
- Under the Federal Act on Firearms and Explosives, the Ministry of Defence, in coordination with the authorities at the three levels of government and private enterprise, is engaged in a continuing campaign to reduce the possession, bearing and use of firearms, through the following actions:
  - Coordinating boards with participating authorities;
  - Publicity campaigns on radio and television to raise public awareness;
  - Campaigns for the registration and turning in of firearms, munitions and explosives;
  - Closing ceremonies of individual campaigns, with publication of findings.
- The Ministry of the Navy for its part is constantly conducting operations and inspections in its area of competence to prevent the illicit trade in firearms, and it is also part of the inter-agency group set up to strengthen cooperation between units having jurisdiction in this area.

B. Re-export

6. Mexican law does not provide for the weapons to be re-exported since imports and its own production are sufficient for the domestic market.

7. The Programme of Action establishes that States must treat any transfer of small arms and light weapons that violates a United Nations Security Council arms embargo as a crime and ensure that this is reflected in their domestic laws.

8. Mexican agencies such as the Planning Centre for the Control of Drugs (CENDRO) of the Attorney General's Office consider that the problem of the illicit trade in arms in Mexico is not related to re-export.

C. Marking

9. In implementation of the objective of the Programme of Action to ensure that manufacturers apply an appropriate and reliable marking on each weapon as an integral part of the production process, Mexico, through the General Directorate for Manufacturing of the Ministry of Defence, marks the weapons produced within the country. In addition, all weapons sold to individuals or agencies are recorded in the Federal Register of Arms.

10. Nevertheless, Mexico has not yet provided in its domestic legislation for marking weapons that have been seized. Arms that are reassigned are entered in the Federal Register of Arms under the licence of the

police association to which they have been assigned; those which are not operational or which are not needed for a criminal trial are destroyed.

D. Register

11. In implementation of the objective of the Programme of Action regarding ensuring that comprehensive and accurate records are kept for as long as possible on the manufacture, holding and transfer of small arms and light weapons under the jurisdiction of States, Mexico, through of the Federal Act on Firearms and Explosives and the Ministry of Defence, strictly monitors the arms manufactured and sold in Mexico.

12. The Office of the Attorney General of the Republic monitors weapons that have been seized and maintains a database containing additional information regarding the country of origin and importers of arms.

13. With regard to keeping track of stocks of arms and their location, under Mexican legislation all units must renew their arms licences each year and must report to the Ministry of Defence if any arms are stolen or mislaid. Individuals also must report to the Ministry of Defence regarding their arms and licences.

III. Actions at the regional level

14. With a view to providing the relevant regional and international organizations with information on the arms confiscated or destroyed, on national laws and processes that impact on the prevention and reduction of the illicit trade in arms, and on routes and techniques that can contribute to the eradication of the illicit trade in arms, Mexico is fulfilling the commitments established in the context of the Inter-American Convention (CIFTA) and its bilateral commitments with other countries, particularly the United States.

15. The Secretary Pro Tempore of the Consultative Committee established in the framework of CIFTA acts as liaison with countries that are party to the Convention.

16. With regard to customs cooperation, Mexico has set up cooperation mechanisms with the United States on the shared border to exchange information, identify individuals and break up criminal organizations engaged in the illicit trade in arms, munitions and explosives.

17. With regard to cooperating with other States and with the World Customs Organization to consider enhancing its cooperation with the International Criminal Police Organization-Interpol to identify groups and individuals engaged in the illicit trade in small arms and light weapons, Mexico maintains close cooperation with the Interpol office in Mexico.

Poland

[Original: English]
[20 June 2002]

1. Poland is of the view that the effects of the uncontrolled spread of small arms and light weapons, particularly the extreme suffering of the civilian population, require urgent adoption of international agreements, incorporating suitable preventive measures. Moreover, there is a clear link between the illicit trade in small arms and light weapons and such non-military threats as terrorism, trafficking in drugs and people, and organized crime. Therefore implementation of elements agreed upon during the United Nations Conference on the Illegal Trade in Small Arms and Light Weapons in All Its Aspects is of significant importance.

In the case of Poland most of the legal institutions, instruments and procedures that meet the provisions of the Programme of Action were adopted before the July Conference. Among them, Poland attaches top priority to effective export controls for strengthening international security and peace. National export control systems should be harmonized and mutually compatible in order to restrict the "grey area" of the trade in small arms and light weapons. Poland attaches special importance to the proper marking of weapons, safeguarding of storage facilities and the procedures for destroying redundant weapons. Having this in mind Poland is currently finalizing preparations for signing and ratifying the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime.

Poland is involved in numerous international initiatives devoted to small arms and light weapons at the United Nations, the Organization for Security and

Cooperation in Europe (OSCE) and the Euro-Atlantic Partnership Council (EAPC), confiscation, storage and destruction of small arms and light weapons within the framework of the disarmament, demobilization and reintegration process are key objectives of Poland's peace forces, particularly in the Balkans. Poland's commitment to the work of EAPC, as well as the Kosovo Force (KFOR) and Stabilization Force (SFOR) peace operations in the Balkans, reflects its efforts to broaden the zone of stability in its region. Emphasizing the importance of regional initiatives, Poland fully supports the moratorium declared by the Economic Community of West African States (ECOWAS). At present Poland considers aid programmes focusing on disarmament as well as training in fields of developing national legislation and procedures concerning safeguarding the trade, manufacture, storage and destruction of small arms and light weapons. As part of the preparations for the 2001 United Nations Conference, the Polish Government in 2000 co-hosted two regional conferences in Warsaw devoted to small arms and light weapons. The first, organized with Saferworld, reflected Poland's commitment to closer cooperation with non-governmental organizations. Such cooperation is being continued. The second conference was convened jointly with Canada, under the EAPC initiative entitled "Disarmament and Peacekeeping Operations".

2. With regard to efforts to control traders and brokers in small arms and light weapons in Poland, these weapons are subject to the same strict licensing procedures as are other types of arms. In accordance with the Law of 29 November 2000 on international trade in goods, technologies and services of strategic importance for the State, and also for maintaining international peace and security, trade and brokering in small arms and light weapons is only permitted upon fulfilment of the conditions specified in the law as well as in other laws, and in international agreements and other obligations. An end-user certificate is always required and is subject to strict verification. In particular cases, confirmation of receipt of the shipment is required. Decisions on issuing small arms and light weapons export permits are influenced by Poland's accession to European Union (EU) initiatives: EU Code of Conduct for Arms Exports, EU Joint Action on Small Arms and Light Weapons, EU Programme for Combating and Preventing Illegal Trafficking in Conventional Arms. Certain categories of small arms and light weapons, because of their potential use by terrorists, are subject to particular security measures.

Foreign trade in small arms and light weapons on the territory of the Republic of Poland is conducted by entrepreneurs. Under the new Law on Business Activity of 19 November 1999, an "entrepreneur" is defined as a physical person, a corporate person or a commercial law company without personality at law, as well as partners in a civil partnership. Entrepreneurs involved in brokerage, trade consulting, arrangement of contracts or participating in any form in activities involving movement across Polish borders of strategic goods, due to export, import, transit, leasing, donation or apport into a company, are subject to special control by the Minister of the Economy. Trade in arms or the provision of related services requires acquisition of an individual licence. The Minister of the Economy has issued a regulation specifying a list of arms, taking into account the relevant international listing, trade in which can only be conducted under licence. Individual licences for international trade in strategic goods, technologies and services can be granted to entrepreneurs who can document application for at least three years of an internal system of control and management of trade, compatible with the requirements of the international norm ISO 9000. Individual licences are granted upon application by the entrepreneur, which should contain: (a) identification of the entrepreneur and his address; (b) number in the register of entrepreneurs; (c) description of the business activity conducted by the entrepreneur; (d) identification of the exporter and importer, their addresses; (e) identification of the producer and end-user, their addresses; (f) identification of the strategic products or services involved in foreign trade, their description, quantity and value; (g) information on the utilization of the strategic products by the end-user; (h) identification of the country of final destination; (i) declaration that the entrepreneur will make every possible effort to ensure that the products mentioned in the application reach the end-user, and that he will advise the foreign importer that any change in utilization or end-user requires prior consent by the Polish organ of control; (j) other data elaborated in separate regulations. The application for individual licence must be accompanied by a declaration to the effect that: (a) the contract does not involve circumstances threatening human rights or basic freedoms; (b) the delivery of arms will not threaten peace or otherwise undermine stability in the region;

(c) the country of final destination does not support or facilitate terrorism or international crime; and (d) the arms will not be used for other purposes than valid security and defence needs of the recipient country. Important instruments for controlling brokers in the international trade in small arms and light weapons contain the provision that all business partners must be notified to the licence, authority, along with the character of their involvement in a given contract. Accordingly, mention must be made of all brokers, commercial consultants, persons arranging contracts, shippers, forwarding agents and others.

3. In 1999, Poland enhanced inter-agency coordination in the field of arms export controls by replacing the Council of Ministries Subcommittee for Arms Trade with the Subcommittee for Export Controls, Defence Industry Cooperation, Non-proliferation and Disarmament. Within its framework an interministerial working group on small arms and light weapons was created. This group, chaired by the Ministry of Foreign Affairs, is a focal point for governmental activities in the field of small arms and light weapons. The group works on two levels: expert level responsible for coordination and allocation of tasks to different agencies, exchange of information, analysis of data and preparation of government positions, and an executive level which retains decision-making powers. The group consists of experts and executives from the Ministry of Foreign Affairs, the Ministry of the Economy, the Ministry of National Defence, the Ministry of the Interior and the Administration (including law enforcement agencies like the Police and the Border Guard), the Ministry of Justice, the Office of State Protection and the Customs Office.

4. The new Law of 8 June 2001 on business activity with regard to the production of and trade in explosives, arms, ammunition, and other products or technologies with military or police applications regulates issues pertaining to the control of the manufacture and trade in small arms and light weapons. The controls are conducted by the concession-granting organs, the Ministers of Internal Affairs and the Economy, other specialized State bodies authorized by the concession-granting organ or province-level police chiefs.

5. The above-mentioned Law of 8 June 2001 introduced the obligation of producers to mark weapons and their essential parts. This obligation also applies to imported firearms, which must be stamped with individual serial numbers and markings identifying the importing country and the importing enterprise. Poland does not use a uniform system of marking and probing weapons. The method of marking is specified each time for every type of weapon by the producer in the technical documentation and endorsed by particular ministries. All weapons have to be marked appropriately. The following types of markings and probes are used: (a) the symbol of the producer (or his name), year of production, series marking and serial number; this group of marks is applied in a durable way on an essential part of the weapon, identified in the documentation. Usually it is the chamber or the bolt (in the case of handguns); (b) the series symbol and serial number may be repeated on other key parts of the weapon, identified in the documentation (e.g. barrel, breech, breechblock piston, magazine); (c) the calibre, wherever this is envisaged in the documentation, is applied in a durable way on the barrel, chamber or bolt; (d) the probe of tests with increased-pressure cartridges is applied in a durable way on the barrel; (e) the probe of the military acceptance trial is marked in a durable way on key parts of the weapon, identified in the documentation.

6. The following rules apply in the process of destruction of surplus small arms and light weapons: (a) decision to reject weapons is based on a listing of equipment approved by the appropriate units and is made by a special commission, composed of at least three suitably qualified persons; (b) rejected firearms are deactivated as follows: the parts listed for salvaging are recorded, while the remaining components are subjected to total destruction. In the case of firearms, the barrels, chambers and bolts are destroyed through crushing, burning or cutting with a torch. Wooden elements (stocks) are separated, rendered useless and designated as firewood; (c) scrapped firearms are packed in crates and sealed by a commission and are guarded. The crates with the scrap are transported to a designated steel mill in covered railcars under convoy. All procedures are conducted by a verifying commission.

7. The illegal possession, manufacture, trade and brokering of small arms and light weapons are subject to severe punishment according to the Penal Code and the provisions of particular laws. Moreover, breaking international arms embargoes is considered a crime and is consequently severely punished. To prevent illegal

activity, law-enforcement agencies are constantly strengthened, including tightening of border controls. These institutions closely cooperate with their partners in neighbouring and other countries as well as with Interpol and all relevant international organizations.

Qatar

[Original: English]
[12 April 2002]

The authorities concerned in the State of Qatar do not have any relevant information to present to the United Nations.

Russian Federation

[Original: Russian]
[30 April 2002]

1. The Russian Federation takes very seriously the recommendations contained in the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted in July 2001 by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons, and is undertaking the following measures.

I. At the national level

2. Control of the production of small arms and light weapons is carried out on the basis of enforceable legal instruments issued by the Russian Agency for Conventional Weapons in implementation of the Federal Act on Weapons of 1996.

3. At the production stage, the following are subject to control:

(a) Procedure for the use of technical documentation on weapons;

(b) Registration and storage of specialized technical equipment;

(c) Registration of parts, assembly units and the finished product in the process of manufacture, transport and storage;

(d) Procedure for the storage and destruction of defective weapon parts;

(e) Procedure for the marking and stamping of weapons.

4. The system used for marking is in keeping with all the recommendations in the Programme of Action and makes it possible to identify any small arm or light weapon. Marking includes an indication of the company which manufactured the weapon, the year of issuance and the individual number of the weapon. This marking should be applied to all small arms and light weapons in the production process and allows effective control to be exercised over weapons from the time of their manufacture until their use.

5. In enterprises manufacturing small arms and light weapons, a special subdivision is responsible for the centralized registration and control of the movement of the finished product between workshops and stores. A monthly check is carried out by piece and number, as well as an annual check of the stock and the conditions for the storage of small arms and light weapons by a special commission appointed by order of the director of the enterprise.

6. The organs of the Ministry of Internal Affairs of the Russian Federation systematically check the rules for the registration and storage of firearms in enterprises.

7. There are instructions for carrying out tests of small arms and light weapons and also for the procedures for carrying out the controlled firing of firearms and for sending bullets and cartridge cases to the Federal Bullet and Cartridge Case Department of the Ministry of Internal Affairs of the Russian Federation.

8. There is a special permit system for assembly shops and storage sites which ensures appropriate security of the basic parts, assembly units and finished products. The registration and security of the finished product is regulated by the instructions on the procedure for the receipt, registration and storage of the finished product and the admittance of persons to the store.

9. Compliance with all these requirements by the manufacturer licensed to produce small arms and light weapons is monitored by the Russian Agency for Conventional Weapons, the Russian Agency for Ammunition, the Ministry of Internal Affairs of the

Russian Federation and the State supervisory and monitoring organs in the areas within their competence.

10. In the event that the aforementioned State organs detect any violation by the manufacturer of the requirements and conditions under the licence to produce small arms and light weapons which may be detrimental to the rights, legitimate interests and health of citizens, the licence may be suspended until the violation has been corrected. In the event of the systematic (at least twice in a year) violation of the requirements and conditions for the manufacture of weapons or the failure to comply with the requirements of the provisions of the Federal Act on Weapons and other enforceable legal instruments regulating the traffic in small arms and light weapons, the licence issued to the enterprise is cancelled.

11. Measures for the destruction of surplus small arms and light weapons, as well as of those which are unserviceable or have been seized in connection with illicit traffic, are carried out on a planned and regular basis. The main method used for the destruction of weapons is to turn them into scrap metal, which is a reliable means of ensuring that they will not be used. Information concerning the quantity of small arms and light weapons destroyed is transmitted to the United Nations Secretariat and the Organization for Security and Cooperation in Europe on a regular basis.

12. At present, in accordance with the recommendations contained in the Programme of Action, measures are being carried out to strengthen national control over the production of, traffic in and export of small arms and light weapons and also to encourage work on the destruction of weapons and ammunition which are out of commission or have been seized in connection with illicit traffic. There are plans to establish new centres in the territory for the conversion of small arms and light weapons and the question of attracting foreign funding to help in this endeavour is being considered.

13. Work is being carried out to seize small arms and light weapons from criminal groups and individuals who have obtained them illicitly and a programme is under way to buy back firearms and ammunition from the population.

14. Appropriate laws, regulations and administrative procedures have been adopted and are in effect in order to ensure effective control over the export, import, transit and re-export of conventional weapons, including small arms and light weapons.

15. In this connection, special mention might be made of the following enforceable instruments:

- The Federal Act on State Regulation of Foreign Trade Activities of 13 October 1995;
- The Federal Act on Weapons of 13 December 1996;
- The Federal Act on Military and Technical Cooperation between the Russian Federation and Foreign States of 19 July 1998;
- The Federal Act on Export Controls of 18 July 1999;
- The Order of the President of the Russian Federation on questions relating to military and technical cooperation between the Russian Federation and foreign States of 1 December 2000, as amended and amplified on 10 December 2001;
- Regulations on the transit of weapons, war material and military property across the territory of the Russian Federation, confirmed by a decision of the Government of the Russian Federation of 8 April 2000.

16. Decisions concerning the export of small arms and light weapons are taken by the President of the Russian Federation, the Government of the Russian Federation or the Committee on Military and Technical Cooperation with Foreign States of the Russian Federation.

17. The right to engage in foreign trade in small arms and light weapons in a manner established by the President of the Russian Federation is granted only to organizations which develop such weapons and to manufacturers of the weapons, and also to a State intermediary, a specialized Federal/State unitary enterprise.

18. Small arms and light weapons may be exported to foreign persons, who must be duly authorized by the State organs of their country to acquire weapons and military technology.

19. Small arms and light weapons are exported on the basis of individual one-time licences issued by the Committee on Military and Technical Cooperation with Foreign States of the Russian Federation.

20. An export licence may not be issued without the presentation of the following documents from the importer:

(a) A permit (licence) for a specific transaction issued by the authorized State organ of the country in the territory of which the foreign firm which has concluded a contract with a Russian organization to engage in foreign economic transactions in respect of small arms and light weapons is registered;

(b) The original of the import end-user certificate issued by the authorized State organ stating that it is the obligation of the receiving country to use the small arms and light weapons imported solely for the needs of that country and that they may not be re-exported or transferred to a third country without the agreement of the Russian Federation.

21. Small arms and light weapons may not be supplied to countries which are subject to the application of legally established sanctions (in the event of sanctions imposed by the United Nations Security Council, including a military embargo, the President of the Russian Federation will issue a decree prohibiting deliveries of weapons to the State in question).

22. No provision is made in enforceable instruments concerning international brokerage activities by Russian individuals in connection with the arms trade, including trade in small arms and light weapons.

23. In considering questions relating to the export of small arms and light weapons, the Russian Federation is guided by strict national criteria in keeping with the country's existing international obligations, and it takes due account of the situation in the country receiving weapons to ensure that the delivery of the weapons will not have a destabilizing effect in the State or region in question. Moreover, the risk of the small arms and light weapons being transferred in illicit traffic is taken into account.

24. In December 2001, an international seminar was held in the Russian Federation on the problem of "Control of the proliferation of small arms and light weapons: the view from Russia", organized by the Centre for Political Research in the Russian Federation and the United Kingdom non-governmental organization Saferworld. Representatives of Russian ministries and departments, foreign missions in Moscow, non-governmental organizations and the press took part in the seminar, at which considerable attention was devoted to an analysis of the Programme of Action and the problems of its implementation. The seminar was widely reported in the media and promoted a better understanding of the problem in civil society.

25. A national contact point has been established in the Russian Federation to act as liaison with the United Nations Secretariat, other international organizations and individual States on questions relating to the implementation of the Programme of Action. The relevant information has been transmitted to the United Nations Secretariat.

II. At the regional level

26. The Russian Federation cooperates with countries which are members of the Organization for Security and Cooperation in Europe (OSCE) on the development of effective measures directed towards the reduction and eradication of the illicit proliferation of small arms and light weapons.

27. The Russian Federation participated actively in the drafting of the OSCE Document on Small Arms and Light Weapons, which was adopted on 24 November 2000 at the OSCE Forum on Cooperation in the Field of Security and was approved at a meeting of the Council of Ministers for Foreign Affairs of the States members of OSCE held on 27 and 28 November 2000.

28. On 26 July 2001, the Government of the Russian Federation, in fulfilment of its obligations under the document, approved the regulations on the provision of information under the OSCE Document on Small Arms and Light Weapons. The first set of information (information concerning national legislation and practices in the regulation of traffic in small arms and light weapons, the marking of such weapons and the procedures for their destruction) was transmitted to the secretariat of OSCE in June 2001.

29. In June 2002, the Russian Federation plans to transmit to the secretariat of OSCE information on its exports of small arms and light weapons to States members of OSCE and its imports of small arms and light weapons from those States.

30. In exporting small arms and light weapons, the Russian Federation takes into account the existing

regional initiatives in that area (agreements, moratoriums, etc.).

31. The Russian Federation is participating in the consideration of the problem of the implementation of the aforementioned document at the Forum on Cooperation in the Field of Security held in Vienna and at various seminars organized under the auspices of OSCE.

III. At the global level

32. The Russian Federation pursues a responsible policy with regard to the export of small arms and light weapons. Deliveries of small arms and light weapons are made to foreign States in strict compliance with the international obligations of the Russian Federation and with the purposes and principles of the Charter of the United Nations.

33. The Russian Federation cooperates closely with the United Nations and its specialized agencies in the search for practical ways of resolving problems relating to the illicit proliferation of small arms and light weapons and it intends to take an active part in the work of the Group of Governmental Experts on Small Arms and Light Weapons established in accordance with General Assembly resolution 56/24 V to study the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit traffic in small arms and light weapons.

34. The Russian Federation cooperates with the International Criminal Police Organization — Interpol, in particular through its representatives in Moscow, in tracing groups and individuals involved in the illicit traffic in small arms and light weapons.

35. The Russian Federation participates in international seminars on questions related to the implementation of the Programme of Action. It presented its views on the question at the Tokyo meeting of experts (23-25 January 2002) and participated as an observer in the African Conference on the Implementation of the United Nations Programme of Action on Small Arms: Needs and Partnerships (18-21 March 2002).

United States of America

[Original: English]
[1 July 2002]

United States support for the Programme of Action

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, para. 2 Section II, para. 3 Domestic laws and procedures to control the production and transfer of small arms/light weapons Legislation to criminalize illicit activities involving small arms/light weapons	United States law requires that anyone engaged in the business of manufacturing or commercial dealing in firearms is licensed under the Gun Control Act of 1968. The Gun Control Act provides criminal and civil penalties for firearms violations, ranging from licence revocation to fines and imprisonment for 10 years.		
Section II, para. 4 National coordinating agencies responsible for researching and monitoring illicit trade in small arms/light weapons	In the United States Government, responsibility for researching and monitoring the illicit trade in small arms/light weapons is generally shared by the Bureau of Alcohol, Tobacco and Firearms (ATF) (domestic), the Department of State (DOS) (international), United States Customs Service (USCS) and the Department of Defense (DOD). ATF also regulates the interstate commerce of firearms through enforcement of the Gun Control Act.		
Section II, para. 6 Identify groups associated with illicit activities involving small arms/light weapons	United States law enforcement agencies maintain lists of organizations and individuals with prior convictions and/or those that are suspected of involvement in illicit firearms possession, production or transportation. With the adoption of		Upon request and within the constraints of United States law, the United States shares information on such groups or individuals with Interpol and individual Governments.

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, para. 6 (continued)	the Brady Law, firearm dealers are now required to conduct background checks on potential buyers through the National Instant Criminal Background Check System operated by the Federal Bureau of Investigation (FBI).		
Section II, para. 7 Section III, para. 12 Section II, para. 8 Marking of all small arms/light weapons at time of manufacture Exchange of information on marking practice Measures to prevent manufacture, transfer of unmarked small arms/light weapons	All licensed importers and manufacturers are required to mark each firearm manufactured or imported into the United States with a serial number, the make, model, and calibre or gauge of the firearm, as well as the name, city and state or foreign country of the manufacturer or importer. Confiscated firearms retained for official use are marked at the time of confiscation if not already marked.	ATF offers a Basic Firearms and Explosives Identification Course for international students, which provides training on marking techniques.	
Section II, para. 9 "Record keeping" on manufacture, holding and transfer	The United States does not have a central record-keeping system. Certain firearms are required to be registered under the National Firearms Act (e.g. machine guns). Manufacturers, importers and dealers are required to keep records of their acquisition and disposition of firearms for not less than 20 years. Importers of defence articles must maintain records for six years and exporters of defence articles for five years. DOD has a central register administered by the United States Army Logistical Support Agency, which is responsible for the serialization and accountability of all DOD small arms/light weapons.		ATF provides technical, legal and programmatic information in numerous international forums on currently accepted United States best practices.

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global regional activities supportive of the Programme of Action*
Section II, paras. 7, 10 Identification and traceability of arms	The National Tracing Center, administered by ATF, traces firearms for United States and foreign law enforcement agencies that are of United States origin and have been used in or suspected to have been used in criminal activities. ATF also assists law enforcement agencies in recovering obliterated or altered serial numbers.		
Section II, para. 11 Export and import licensing	ATF has the authority over the permanent importation of firearms into the United States. With very few exceptions, firearms must be imported by an importer licensed by ATF. The Arms Export Control Act establishes procedures for both Government-to-Government and commercial sales of items included on the United States Munitions List. The DOS Office of Defense Trade Controls (DTC) is charged with controlling the export and temporary import of defence articles covered by the United States Munitions List, and with taking final action on licence applications for defence trade exports and matters related to defence trade compliance, enforcement, and reporting. All exporters must be registered and each transaction licensed by the Office of Defense Trade Controls.	The DOS Bureau of Nonproliferation coordinates United States export control assistance for 25 countries and is seeking to expand to another 17 under the Export Control and Related Border Security Assistance (EXBS) programme. The United States also provides specialized law enforcement training, such as customs inspection and maritime interdiction, through the EXBS programme.	Through the DOS Bureau for International Narcotics and Law Enforcement Affairs (INL), the United States supports the Inter-American Drug Abuse Control Commission (CICAD) in strengthening control over arms trafficking in the OAS region.

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, para. 12 End-user certification, legal and enforcement measures	The United States monitors arms transfers, investigates suspicious activity and acts quickly to curtail exports to those recipients that do not meet the strict criteria for responsible use. A sample end-use certificate can be found at http://www.pmdtc.org/getforms.htm. Through the Blue Lantern Programme, DOS and USCS conduct end-user and pre-licence checks on commercial small arms/light weapons transfers. Such inquiries range from interviews to physical inspections. The Golden Sentry programme, administered by the Defense Security Cooperation Agency, performs similar checks on military-to-military arms transfers.		
Section II, para. 13 Re-export authority	All United States defence exports are subject to re-transfer approval. In the case of commercial sales, the licence must indicate the ultimate end-use country.		
Section II, para. 14 Regulation of arms brokers, legal and enforcement tools	By law, all United States manufacturers, exporters and brokers of commodities covered by the United States Munitions List must register with the Office of Defense Trade Controls and submit each transaction for government licensing approval. All United States citizens overseas or in the United States as well as foreign nationals operating within the United States are subject to United States brokering law.	Currently, the United States cooperates on export control assistance with 25 countries, including arms brokering regulation, legal and enforcement tools.	The United States participates in the Wassenaar expert's study on arms brokering and participated in the 2000 study of the United Nations panel of governmental experts on arms brokering.

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global regional activities supportive of the Programme of Action*
Section II, paras. 15, 32 Enforcement of United Nations Security Council embargoes; penalties for violation	The United States enforces Security Council embargoes and levies criminal penalties for violations. The United States Government also supports diamond certification to end trade in "conflict diamonds" initiated by the Kimberly Process and supported by United Nations resolutions. The United States Agency for International Development (USAID) offers support to national diamond certification regimes.		In December 2000, the United States and the Southern African Development Community (SADC) issued the United States-SADC Declaration on United Nations Sanctions and Restraint in Sale and Transfers of Conventional Arms to Regions of Conflict in Africa.
Section II, paras. 16, 19 Section III, para. 14 Destruction of surplus, confiscated, seized or collected small arms/light weapons	DOD destroys military weapons which are no longer useful, serviceable or economically repairable as part of its stockpile management life-cycle programme. The preferred method of disposal within the continental United States is by melting at the United States Army Rock Island Arsenal. The preferred method of destruction overseas is by torch cutting. Shearing, crushing, deep-water dumping or melting may be used when they are deemed more cost-effective and/or practicable and are authorized by the appropriate authority. The DOD Defense Re-utilization and Marketing Office accounts for destroyed small arms/light weapons through an electronic database. Weapons seized in crimes, depending on jurisdiction, may be destroyed or securely stored pending legal action.	The DOS Bureau of Political-Military Affairs (PM) provides technical and financial assistance in the destruction of surplus and illicit stocks of small arms/light weapons. United States destruction assistance projects have been completed in Albania, Bulgaria, the Federal Republic of Yugoslavia, and Lesotho and many others are currently under way and/or under negotiation.	Currently, the United States is leading the development of the OSCE "Best Practices" Guide on small arms/light weapons destruction.

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, paras. 17, 29 Management and security of national stockpiles	Stockpile management is carried out through a DOD Small Arms Serialization Program run by the Defense Logistic Agency (DLA). The programme is responsible for the control of, and accounting for, small arms serial numbers from initial receipt to final disposition. All small arms are individually registered by individual serial number in the DOD and DLA central registries. Small arms with missing, obliterated, mutilated or illegible serial numbers are assigned a serial number for registry purposes. This system allows accounting for all small arms, including those on hand, in transit, lost, stolen, demilitarized or shipped outside the control of DOD. Stockpile security measures include electronic security systems, integration of physical security in wartime and demobilization plans, creating and sustaining physical security awareness, and identifying resources and requirements to apply adequate measures. Physical security measures include security forces, military working dogs, physical barriers, secure locking system, intrusion detection systems, badging system, etc.	DOS/PM and DOD currently have a pilot programme to provide stockpile management and physical security training.	
Section II, para. 18 Regular review of States' stocks, identification of surplus, safe storage, disposal/destruction	DOD oversees the management and security of national military weapons stockpiles as outlined above. In addition, annual reconciliation of all small arms in the registry is performed.	The United States assists countries in the destruction of excess and illicit small arms/light weapons. Destruction programmes have been completed in Albania,	

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, para. 18 (continued)		Bulgaria, the Federal Republic of Yugoslavia, and Lesotho and many others are currently under way and/or under negotiation. DOS/PM and DOD currently have a pilot programme to provide stockpile management and physical security training.	
Section II, paras. 20, 40 and 41 Confidence-building measures and public awareness programmes about illicit trade in small arms/light weapons; encouraging the role of civil society	The United States will continue to support confidence-building efforts to constrain the demand for destabilizing weapons and related technology.		The United States supports and participates in the OSCE information exchange on small arms/light weapons. The United States also meets regularly with NGOs in order to raise public awareness and encourage the role of civil society in curbing small arms/light weapons proliferation. Finally, the United States annually participates in the OAS Firearms Convention (CIFTA) as an observer.
Section II, paras. 21, 30 and 34 Section III, para. 16 Support of effective disarmament, demobilization and reintegration, including collection, storage and destruction of small arms/light weapons; international assistance for same		The United States has provided support for disarmament, demobilization and reintegration in Kosovo, Sierra Leone, East Timor, the Philippines and Colombia (child soldiers). The United States primarily offers assistance in the reintegration aspect of disarmament, demobilization and reintegration. The United States has assisted in some cases with collection and destruction efforts.	

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, para. 22 Special needs of children in armed conflict, rehabilitation, and reintegration		Under the USAID Displaced Children and Orphans Fund, the United States offers major support for documentation, tracing, reunification and other psychosocial interventions on behalf of war-affected children in Angola, Congo, the Democratic Republic of the Congo, Ethiopia, Kosovo, Liberia, Rwanda, Sierra Leone, Sri Lanka and Uganda.	
Section II, para. 23 Voluntary submissions on destruction, illicit trade; transparency in laws and regulations	United States laws and regulations on the import, export, manufacture, brokering and marking of small arms/light weapons are available on the Internet (www.pmdtc.org and www.atf.treas.gov). The United States has provided information to OSCE on its laws regarding the import, export, manufacture and destruction of excess small arms/light weapons.		The United States participates in and supports the OSCE information exchange on small arms/light weapons.
Section II, para. 24 (regional) Designation of regional and subregional point of contact on Programme of Action implementation	For the United States Government: Mr. C. Edward Peartree Senior Policy Officer – SA/LW United States Department of State Bureau of Political-Military Affairs Office of Policy, Plans and Analysis PM/PPA Room 5827 2201 C Street, N.W. Washington, D.C. 20520 E-mail: Peartreece@T.state.gov		

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, paras. 25, 26 Encourage, where appropriate, negotiation or strengthening of regional instruments to combat illicit trade		Through the International Law Enforcement Academies (ILEAs) in Bangkok, Budapest and Gaborone, the United States assists countries and regions in improving their institutional capacity to deter weapons trafficking through more effective enforcement mechanisms. Through the EXBS programme, the United States Government works to improve export/border controls to detect and interdict illicit transfers of controlled items, including current negotiation of a Regional Transit Agreement among countries of the Caucasus and Central Asia.	The United States supports the OAS Firearms Convention, the ECOWAS Moratorium and other regional initiatives. In December 2000, the United States and SADC issued the United States-SADC Declaration on United Nations Sanctions and Restraint in Sale and Transfer of Conventional Arms to Regions of Conflict in Africa.
Section II, paras. 27, 28 Law enforcement cooperation, information-sharing, implementing existing laws by region	ATF provides technical, legal and programmatic advice on currently accepted United States best practice and cooperates with regional organizations (such as OAS). The USCS representatives at United States embassies abroad play a significant role in law enforcement assistance, training and national assistance.	Currently, the United States cooperates on export control assistance with 25 countries with a focus, among other issues, on enforcement mechanisms. The United States offers cooperation through the regional ILEAs. ATF country offices in Mexico, Colombia and Canada provide technical assistance and training to the host Government law enforcement agencies.	The United States supports and cooperates with foreign law enforcement agencies as well as with Interpol and the World Customs Organization (WCO). The United States supports CICAD in strengthening control over arms trafficking. It provides specialized law enforcement training such as customs inspection and maritime interdiction.

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, para. 31 Encourage regional transparency			The United States supports transparency instruments such as the United Nations Register of Conventional Arms, OSCE small arms/light weapons information exchange, the Wassenaar Arrangement, and efforts undertaken within OAS.
Section II, para. 33 (global) Provide voluntary reports to the United Nations Department for Disarmament Affairs on progress on implementing the Programme of Action	The United States provides voluntary reports to the United Nations Department for Disarmament Affairs supporting General Assembly resolution 56/24 V.		
Section II, para. 35 Encourage the United Nations Security Council, where applicable, to include disarmament, demobilization and reintegration for peace operations			
Section II, para. 36 Strengthen the ability of States to identify and trace illicit small arms/light weapons	The United States National Tracing Center, through its database, traces United States-origin firearms which have been used in crimes.	Through ILEAs and other training courses, assistance is offered on classification and tracing of seized weapons. The ATF National Tracing Center assists other countries in tracing firearms originating from the United States that are used in crimes.	ATF has provided an expert to the United Nations working group to consider an international instrument on firearms tracing. Also, in October 2000, INL funded a joint USCS/ATF programme to assist the

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, para. 36 (continued)		INL plans to implement four iterations of a course designed to identify illicit small arms trafficking and strengthen interdiction skills. The first two courses will be for Nigerian-only participants; the latter two courses will include law enforcement personnel from neighbouring countries. Possible countries to be invited include Benin, Togo, Niger, Ghana and possibly (from non-ECOWAS member States) Chad and Cameroon.	ECOWAS member States Ghana, Nigeria, and Sierra Leone in identifying illicit trafficking of small arms/light weapons.
Section II, para. 37 Cooperation with Interpol and the World Customs Organization to identify and prosecute illicit traffickers	The Immigration and Naturalization Service (INS) has law enforcement officers stationed abroad who cooperate with host Government authorities and Interpol. The FBI has a similar arrangement, as does USCS. ATF has attachés stationed in Canada, Mexico and Colombia to provide technical and liaison assistance in firearms trafficking efforts.		The United States continuously cooperates with Interpol and WCO through increased assistance in investigations and increased information-sharing with national law enforcement authorities.
Section II, para. 38 Encourage States to ratify international legal instruments on terror and global crime	The United States has put into effect Executive Orders against those linked to terrorist activities, has enacted the United States Patriot Act, created a Foreign Terrorist Tracking Task Force and many other initiatives in the fight against terrorism.	The United States has stepped up bilateral information exchanges through law enforcement and intelligence channels. It is seeking to improve international sanctions, anti-money-laundering coordination, as well as other initiatives in the fight against terrorism.	The United States strongly supports Security Council resolution 1373 (2001), has signed the International Convention for the Suppression of the Financing of Terrorism, the International Convention for the Suppression of Terrorist Bombings, supports the Inter-American Treaty of Reciprocal

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section II, para. 38 (continued)			Assistance (Rio Treaty), Egmont Group of Financial Intelligence Units, OAS, OAU, ASEAN, EU, APEC, OSCE and many more initiatives against terror and global crime.
Section II, para. 39 Develop common understanding on illicit brokering and work to combat same	The United States has brokering regulations in effect and encourages the adoption of effective brokering laws and regulations by other States.		The United States participates in the Wassenaar study on brokering and served on the 2000 United Nations panel of governmental experts on arms brokering.
Section III, paras. 1-3, 6 Promote international coordination/cooperation, technical and financial assistance in implementing the Programme of Action	Development of matrix of United States and international measures.	See throughout this matrix. Through its bilateral consultations, the United States promotes and encourages coordination and cooperation to maximize donor resources.	The United States participated in the informal consultations held by the United Nations Department for Disarmament Affairs on creating a coordination mechanism for international efforts on small arms/light weapons.
Section III, para. 7 Information exchange among experts	ATF provides international training in specified areas relating to small arms/light weapons and will provide technical, legal and programmatic advice on United States practices relating to small arms/light weapons. Other United States Government agencies such as DOS and USCS as well as others offer training on issues such as export controls, border security, marking and tracing, stockpile management, firearms identification, etc.	Various. See throughout this matrix.	Various. They include expert groups, meetings, conferences, bilateral, NGO meetings, regional seminars, expert studies, etc.

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section III, para 8 Regional and international programmes for training in stockpile management and security		See above. The United States currently offers a pilot training programme in stockpile management and security.	The United States has participated in the Swiss-OSCE workshops on stockpile management.
Section III, para. 9 Support for Interpol IWETS database	The United States, through INL, has contributed $125,000 to the development of the Interpol IWETS database. ATF has provided technical assistance in expanding the use of IWETS to fight explosives and weapons trafficking.		The United States shares information on a bilateral basis and with Interpol.
Section III, paras. 10, 11 Develop technologies, cooperate on tracing illicit weapons	USCS exchanges information and works to increase cooperation in controlling the export of United States-origin munitions. ATF provides technical advice and legal assistance in implementing integrated ballistic imaging systems, national and regional tracing centres.	The United States National Tracing Center assists countries in tracing United States-origin illicit arms used in criminal activities. Courses are also offered at the ILEAs on identification and tracing of weapons.	Within the G-8 Counter-terrorism Experts Group and the Lyon Group, the United States has advanced cooperation in illicit arms tracing among G-8 countries.
Section III, para. 13 Mutual legal assistance in investigations of illicit trade in small arms/light weapons	The United States works closely with other Governments on small arms/light weapons trafficking investigations.	Under Mutual Legal Assistance Treaties, the United States cooperates bilaterally as well as with Interpol in investigations. ATF provides investigative assistance on international trafficking cases involving United States-source firearms, including those relating to drug trafficking, terrorism and organized crime.	

Programme of Action	*United States laws and policies supportive of the Programme of Action*	*United States assistance programmes supportive of the Programme of Action*	*United States global/regional activities supportive of the Programme of Action*
Section III, para. 15 Assistance to combat illicit trade related to drugs, crime and terror	ATF provides investigative assistance on international trafficking cases involving United States-source firearms, including those relating to drug trafficking, terrorism and organized crime.	The United States Drug Enforcement Agency and other law enforcement agencies provide training and support to drug-producing and transit countries worldwide.	The United States provides law enforcement training and material support to OAS/CICAD.
Section III, para. 17 Address development concerns as they relate to small arms/light weapons proliferation	The United States utilizes the USAID disarmament, demobilization and rehabilitation programme as well as the DOS small arms/light weapons destruction programmes within the disarmament, demobilization and rehabilitation initiative to address the relationship between development and proliferation.		
Section IV, para. 1 Review Conference by 2006; biennial meetings on implementation of Programme of Action; United Nations study on tracing; further steps to combat illicit brokering			A United States expert is participating in the current United Nations Group of Governmental Experts on Tracing.

United States online resources relating to small arms/ light weapons

Department of State

Bureau of Political-Military Affairs (SA/LW):
http://www.state.gov/t/pm/sa/

Office of Defense Trade Controls:
http://www.pmdtc.org

Bureau of International Narcotics and Law Enforcement Affairs (INL):
http://www.state.gov/g/inl/

Bureau of Alcohol, Tobacco and Firearms

http://www.atf.treas.gov/firearms/index.htm

United States Agency for International Development (USAID)

Office of Transition Initiative (OTI):
http://www.usaid.gov/hum_response/oti/

OTI Special Focus Areas: Overview:
http://www.usaid.gov/hum_response/oti/focus/focus1.html

OTI/Sierra Leone — Conflict Diamonds:
http://www.usaid.gov/hum_response/oti/country/sleone/confdiam.html

Anti-Corruption Resource Center:
http://www.usaid.gov/democracy/anticorruption/index.html

Department of Defense

Physical Security of Sensitive Conventional Arms, Ammunition and Explosives:
http://www.dtic.mil/whs/directives/corres/pdf/510076m_0800/p510076m.pdf

United Nations sites related to the United States view on the Programme of Action

Note verbale dated 6 July 2000 from the United States Mission to the United Nations addressed to the Secretariat of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, transmitting the United States "Fact Sheet" on the United States Comprehensive Initiative on Small Arms and Illicit Trafficking:
http://www.un.org/Depts/dda/CAB/smallarms/files/2001confpc12e.pdf

Annex III

National points of contact for the implementation of the Programme of Action

Country	*Name*	*Service*	*Address*	*Phone*	*Fax*	*E-mail*
Algeria	Mr. Youcef Benmedakhene	Ministère de la Défense Nationale		21 72 02 21		
Andorra	Mr. Jaume Gaytán	Director des Affaires Multilatérales Govern d'Andorra	62-64 Prat de la Creu Andorra la Vella Principat d'Andorra	(376) 875 700	(376) 869 559	j.gaytan gov@ andorra.ad
Argentina	Embajador Atilio Molteni	Director de la Dirección de Seguridad Internacional, Asuntos Nucleares y Espaciales, Ministerio de Relaciones Exteriores, Comercio Internacional y Culto	Esmeralda 1212 (CP 1007) Buenos Aires	(5411) 4819-7130	(5411) 4819-7828	anm@mrecic.gov.ar
Armenia	Mr. George Kocharian	Head of Conventional Arms Control Division, Department of Arms Control and International Security, Ministry of Foreign Affairs	Government House 2 Republic Square Yerevan 375010	(374-1) 554 041 ext. 241, 291	(374-1) 543 925	
Belarus		Ministry of Foreign Affairs, Department of International Security	220050 Minsk 29, Myasnikova Street	(375) 17 222 18 22		Armscontrol@ mfa.org.by
Belgium	Ms. Marie-France André	Chef du Service, Contrôle de l'Armement	Ministère des Affaires Etrangères 15 rue des petits carmes 1000 Bruxelles	32 2 501 85 43	32 2 501 38 22	marie-france.andre@ dipobel.fed.be
Bosnia and Herzegovina	Mr. Branc Luledzija, Lieutenant Colonel	Permanent Committee for Military Affairs of Bosnia and Herzegovina		(00 387) 33 263181 (00 387) 33 263 182	(00 387) 33 263 432	
Botswana	Mr. Norman Molebogo	Commissioner of Police, Botswana Police Headquarters	Private Bag 0012 Gaborone	(267) 351161	(267) 373723	

Country	Name	Service	Address	Phone	Fax	E-mail
Bulgaria	Mr. Lyubomir Ivanov, Director	Ministry of Foreign Affairs NATO and International Security Directorate	No. 2 "Al Zhendov" Str Sofia 1113	(359-2) 948 22 44 (359-2) 948 28 17		NATOIR@online.bg int.security@mfa.government.bg
Burkina Faso	Ltd Colonel Paul Benjamin Yameogo	Président de la Commission nationale de lutte contre la prolifération des armes légères	Premier Ministère 03 BP 7027 Ouagadougou 03 Burkina Faso	(226) 324889		
Burundi	Ambassadeur Nicodeme Ndumirubusa		Ministère des Relations Extérieures et de la Coopération Boite Postale 1840 Bujumbura	257 22 3938	257 22 3970	ninduhi@hotmail.com
Canada		Department of Foreign Affairs and International Trade, International Security Bureau, Non-Proliferation, Arms Control and Disarmament Division (IDA)	Lester B. Pearson Building 125 Sussex Drive Ottawa, ON K1A OG2	(613) 992 3430	(613) 944 3105	ida@dfait-maeci.gc.ca
Chile	Mr. Julio Fiol	First Secretary, Jefe del Departamento de Desarme y de Seguridad International	Direccion postal Catedral 1143 Segundo Piso Santiago de Chile	562 670 4716	562 672 5071	dipesp6@minrel.cl
China		Fourth Division, Department of Arms Control and Disarmament, Ministry of Foreign Affairs	2 Chaoyangmeng Nandajie Beijing 100701	8610 65963947	8610 65963909	zzmfa@hotmail.com
Colombia		Dirección de Asuntos Politicos Multilaterales, Ministerio de Relaciones Exteriores	Calle 10 No 5-51	(57-1) 5628229 (57-1) 5628235 (57-1) 5628269 (57-1) 5628271	(57-1) 5628815	vraseso01@minrelext.gov.co
Congo	Mr. Antonin Malekama	Directeur des Affaires Juridiques du Ministère des Affaires Etrangères, de la Coopération et de la Francophonie	B.P 2090 Brazzaville			

Country	*Name*	*Service*	*Address*	*Phone*	*Fax*	*E-mail*
Cook Islands	Mr. Edwin Pittman	Secretary, Ministry of Foreign Affairs and Immigration	PO Box 105 Rarotonga	(00689) 29-347		socfa@foaffairs.gov.ck
Costa Rica	Mr. Arnoldo Brenes Castro	Asesor del Sr. Ministro de Relaciones Exteriores y Culto		(506) 2560561	(506) 2560561	abrenes@rree.go.cr
	Ms. Ana Matilde Rivera Figueroa	Asesora de la Sra. Viceministera de Relaciones Exteriores y Culto		(506) 221 8966	(506) 2569983	arivera@rree.go.cr
	Mr. Carlos Cordero Madrigal	Jefe del Departamento de Polftical Multilateral		(506) 257 6895	(506) 257 6895	ccordero@rre.go.cr
	Ms. Lydia Peralta Cordero	Encargada de la Division de Naciones Unidas		(506) 257 6895	(506) 257 6895	lperalta@rree.go.cr
Czech Republic		Department of International Organizations, Ministry of Foreign Affairs	Lorétanské Náměstí 5 118 00 Praha 1	(420) 2 2418 2366	(420) 2 2418 2491	s_osn@mzv.cz
Denmark		Royal Danish Ministry of Foreign Affairs, Department for Foreign and Security Policy (No. 2)	2 Asiatisk Plads DK-1448 Copenhagen K	(45-33) 920000	(45-33) 540533	N2@um.dk
Egypt		Office of the Deputy Assistant Minister for Foreign Affairs for International Political Affairs and Disarmament, Ministry of Foreign Affairs	MFA Maspiro-Cornich El Nil Cairo	202 574 9833	202 574 9640	
Estonia	Mr. Tarmo Mutso	Third Secretary	Islandi Väljak 1 15049 Tallinn	372 6317 200	372 6317 288	tmustso@vm.ee
	Mr. Toomas Raba	Expert				traba@vm.ee

Country	*Name*	*Service*	*Address*	*Phone*	*Fax*	*E-mail*
Fiji	Mr. Peni Lomaloma		P.O Box 2549 Government Buildings Suva	(679) 321 1404	(679) 330 0346	defence@govnet.gov.fj
Finland	Ms. Riitta Korpivaara	Counsellor, Arms Control, Non-proliferation and Disarmament, Ministry of Foreign Affairs	P.O. Box 176 Merikasarmi C 00161 Helsinki	(358) 9 160 56 185	(358) 9 160 56066	riitta.korpivaara@formin.fi
France	Mr. Francis Guenon	Chargé de mission Direction des Affaires Stratégiques, de Sécurité et du Désarmement	37 Quai d'Orsay F-75007 Paris	(33) 1 43 17 40 70	(33) 1 43 17 49 52	FRANCIS.GUENON@diplomatie.gouv.fr
Gambia		Permanent Secretary, Department of State for Defence	State House Banjul	(220) 227-281 (220) 227-243	(220) 224-001	
Germany	Dr. Berthold Johannes	Head of SALW Section Federal Foreign Office	11013 Berlin	(49) 1888-174270	(49) 1888-1754270	241-RL@auswaertiges-amt.de
Greece	Mr. Nikolaos Kanellos Mrs. Eleftheria Giannakou	Counsellor of Embassy, Ministry of Foreign Affairs, Department of International Organizations Counsellor of Embassy, Ministry of Foreign Affairs, Department of International Organizations		(010) 3682238 (010) 3682231	(010) 3682239	dol@mfa.gr
Holy See	Archbishop Renato R. Martino	Apostolic Nuncio and Permanent Observer of the Holy See to the United Nations	25 East 39th Street New York, NY 10016	(212) 370 7885	(212) 370 9622	hseeunny@superlink.net

Country	*Name*	*Service*	*Address*	*Phone*	*Fax*	*E-mail*
Hungary	Dr. Ferenc Gazdag	Head of Department, Department for Security Policy and Arms Control	Nagy I. Tér 4 H-1027 Budapest	(36-1) 355-4884 (36-1) 201 7523	(36-1) 202 0120	Fgazdag@kum.hu Titkarsag.febi@kum.hu
	Mr. Márk Horváth	Desk Officer Responsible for SALW, Department for Security Policy and Arms Control	Nagy I. Tér 4 H-1027 Budapest	(36-1) 458 3557	(36-1) 202 0120	MarkHorvath@kum.hu
Iceland		Ministry of Foreign Affairs, Political Department	Raudrarstigur 25 IS-150 Reyjavik	354 560 9900	354 552 6247	unt@stjr.is
Ireland	Mr. Eddie Brannigan	Disarmament and Non-Proliferation Section, Department of Foreign Affairs	80 St. Stephen's Green Dublin 2	353 1 408 2209	353 1 478.0628	eddie.brannigan@iveagh.irlgov.ie
Italy	Mr. Alessandro Cevese	General Directorate for Political Multilateral Affairs and Human Rights, Director of the Disarmament and Non-Proliferation Office, Ministry of Foreign Affairs	P.le della Farnesina 00194 Rome	(39-06) 3691 7264	(39-06) 3235927	alessandro.cevese@esteri.it
	Mr. Vincenzo Celeste	Desk Officer for Conventional Arms (same office as above)	P.le della Farnesina 00194 Rome	(39-06) 3691 4000	(39-06) 3235927	vincenzo.celeste@esteri.it
Jamaica	Mr. Woodrow Smith	Divisional Director, Security Intelligence and Operations, Ministry of National Security	Mutual Life Building North Tower 2 Oxford Road Kingston 5	876 906 4908 24 876 906 5106 (direct)	876 906 5153 876 906 5105	Smithw@mnsj.gov.jm

Country	*Name*	*Service*	*Address*	*Phone*	*Fax*	*E-mail*
Japan	Mr. Kenichiro Tanaka	Desk Officer, Conventional Weapons Division, Ministry of Foreign Affairs	Shjba Daimon 2-5-5, Minato-ku Tokyo 105-8619	(81) 3-3580-3311		kenichiro.tanaka@mofa.go.jp
	_____	Arms Control and Disarmament Division, Foreign Policy Bureau, Ministry of Foreign Affairs	2-2-1 Kasumigaseki, Chiyoda-ku Tokyo 100-9819	011-81-3 3581-2906	011-81-3 3591-3613	
Jordan		Military Intelligence Department, General Headquarters of the Armed Forces		(962-6) 5693843 (962-6) 5682246 (962-6) 5665976	(962-6) 4619576 (962-6) 5665924 (962-6) 5603846	jafrecon@oncts.com.jo
Kazakhstan	H.E. Mr. Abuseitov H. Kairat	Vice-Minister of the Ministry of Foreign Affairs		(7-3172) 32 75 15	(7-3172) 32 63 17	vmabu@mid.kz
Lebanon		Ministry of Foreign Affairs, Central Administration	Bustros Palace, Sursock Street Ashrafieh, Beirut	961 1 333 099 or 961 1 333 100	961 1 204 895 or 961 1 338 556 or 961 1 217 431	ministry@foreign.gov.lb
Liechtenstein	Ms. Karin Lingg	Office for Foreign Affairs	Heiligkreuz 14 FL-9490 Vaduz	423 236 6052	423 236 6181	Karin.Lingg@aaa.llv.li
Lithuania	Ms. Rosita Šorytė	First Secretary, OSCE and Arms Control Division	Ministry of Foreign Affairs J. Tumo-Vaižganto G2, 2600 Vilnius	370 2 362522, 352521	370 2 313090	rosita.soryte@urm.lt
Maldives		Ministry of Foreign Affairs, Boduthakurufaanu Magu, Male'		960 323400 7	960 323841	iocd@foreign.gov.mv
Malta	Mr. Andrew Seychell	Assistant Commissioner, Police General Headquarters	Floriana CMR 02 Malta	(356) 21247800	(356) 21247922	Seychell-andrew@gov.mt

Country	*Name*	*Service*	*Address*	*Phone*	*Fax*	*E-mail*
Monaco		Service des Relations Extérieures	Hôtel du Gouvernement, Place de la Visitation B.P n° 522 Principauté de Monaco MC 98 000			
Netherlands	Ms. M. H. L. Kloeg (Mary-Honor)	Security Policy Department, Arms Control and Arms Export Policy Division, Ministry of Foreign Affairs	P.O. Box 20061 25000 EB The Netherlands	31 70 348 5562	31 70 348 5479	mary-honor.kloeg@minbuza.nl
New Zealand	National Point of Contact	Director, International Security and Arms Control Division, Ministry of Foreign Affairs and Trade	Private Bag 18-901 Wellington	64 4 494 8520	64 4 473 2156	isac@mfat.govt.nz
Norway		Section for Disarmament, Arms Control and Global Security, Ministry of Foreign Affairs	P.O. Box 8114 Dep N-0032 Oslo	47 22 24 31 91	47 22 24 95 80 47 22 24 95 81	nedrustningsseksjonen@mfa.no
Oman	Colonel Suhail Amer Bait-Fadhil	Director General, Bureau of Criminal Investigation		968 560 479	968 564 410	immuscat@omantel.net.om
Poland		Ministry of Foreign Affairs Department of Security Policy		(48 22) 5239202	(48 22) 5239303 (48 22) 5239616	dpeks@msz.gov.pol
Portugal	Ms. Anna Margarita Teixeira Mr. Luís Gaspar da Silva		Largos do Rilvas 1399-030 Lisbon Largos do Rilvas 1399-030 Lisbon	351 21 394 65 79 351 21 394 65 95	351 21 394 60 37 351 21 394 60 37	dsd@sg.mne.gov.pt dsd@sg.mne.gov.pt

Country	*Name*	*Service*	*Address*	*Phone*	*Fax*	*E-mail*
Republic of Korea	Mr. Rim Kap-soo	Assistant Director, Disarmament and Nuclear Affairs Division, Ministry of Foreign Affairs and Trade	Government Complex 615-2, Sjongro 77, Chongrogu, Seoul, 110-760	82 2 720 2327	82 2 720 5749	disarmament@mofa.go.kr
	M. Yoo Jae-ik	Lieutenant-Colonel, Arms Control Bureau, Ministry of National Defence	1, Yonsandong 3 GA, Yongsangu, Seoul, 140-701	82 2 748 6338	82 2 748 6335	jerico@hananet.net
	M. Cheon Wook	First Secretary, Permanent Mission of the Republic of Korea to the United Nations	335 East 45th Street, New York, NY 10017 USA	212 439 4009	212 986 1083	wcheon87@mofat.go.kr
Republic of Moldova	Mr. Vitalie Rusu	Head of the Section for Disarmament and Arms Control, Ministry of Foreign Affairs		3732 57 82 88 3732 57 82 48	3732 57 82 08 3732 57 82 48	undep@mfa.un.md
	Mr. Victor Moraru	Counsellor, Permanent Mission of the Republic of Moldova to the United Nations	573-577 Third Avenue New York, NY 10016 USA	212 682 3523	212 682 6274	unmoldova@aol.com
Russian Federation	Mr. Vladimir Ivanovitch Yermakov	Chief of Section, Military-Technological Cooperation Department for Security Affairs and Disarmament	32/34 Smolenskaya-Sennaya Sq, Moscow 121200	095 244 36 86	095 255 90 82/83	DVBR@MID.RU
Rwanda	Lieutenant Colonel Andrew Rwigamba, Auditeur Militaire Général		B.P 23 Kigali	(011) 250 576728	(011) 250 576969	
Saint Kitts and Nevis	Mr. Joseph Edmeade	Permanent Secretary, Ministry of National Security	Government Headquarters Basseterre St. Kitts	869 465 2521 ext 1034	869 565 4836	chiefsec@caribsurf.com
San Marino	Mr. Dario Galassi	Secretary of State for Foreign Affairs	Palazzo Begni Contrada Omerelli Citta-47890	378 882215 (direct)	378 992018	affariesteri@omniway.sm
Senegal	Colonel Abdoulaye Aziz Ndao		BP. 4041 Dakar	(221) 823 20 55	(221) 823 63 38	colaziz@yahoo.fr

Country	*Name*	*Service*	*Address*	*Phone*	*Fax*	*E-mail*
Slovakia	Ms. Gabriela Mrugová	Ministry of Foreign Affairs, Department of OSCE, Disarmament and Council of Europe	Hiboka cestá 2 833 36 Bratislava Slovak Republic	421 2 5978 3141	421 2 5978 3149	obod@ foreign.gov.sk
Slovenia	Mr. Igor Jukič	Second Secretary, Ministry of Foreign Affairs, Department for Multilateral Affairs	Prešernova 25 SI-1000 Ljubljana	(386) 1 478 2206	(386) 1 478 2249	igor.jukic@ gov.si
Switzerland	M. Thomas Greminger	Political Division for Human Security, Head, Peace Policy and Human Security, Federal Department for Foreign Affairs	3003 Bern	41 31 322 35 16	41 31 323 89 22	thomas. greminger@eda. admin.ch
Syrian Arab Republic	Colonel Haydar Salma	Director of the Department of Weapons and Ammunition, Ministry of the Interior	Damascus	963 11 213 2332	963 11 212 2332	
Thailand	National Point of Contact	Political Division, Department of International Organizations, Ministry of Foreign Affairs	Sri Ayudhya Road, Bangkok 10400	66 2 643 5074 5	66 2 643 5073	
Ukraine	M. Nimchynskyi Ruslan	Ministry of Foreign Affairs	1, Mykhailivska sqr, Kyiv 01018	380 44 2381726	380 44 2381888	uko@mfa.gov.ua
United Arab Emirates						
United Kingdom	Mr. Simon Johnson	SALW Desk Officer, Non-Proliferation Department, Foreign and Commonwealth Office	King Charles Street London SW1A 2AH	44 20 7270 2251	44 20 7270 2860	Simon.Johnson @fco.gov.uk
Venezuela		Dirección de Armamento de la Fuerza Armada Nacional				